

ONGAR - 2018 Local Plan

[REDACTED] Consultation on the Epping Forest District Council Pre-Submission District Local Plan.

The representation relates to Policy P4 Ongar.

This Plan in so far as it impacts upon Ongar is **Unsound** and **Not Justified** – as the plan is not the most appropriate strategy, when considered against the reasonable alternatives. It is also **not legally compliant** given the failure to properly consider the options available as part of the sustainability appraisal process. The Plan is **not Deliverable** as the constraints on many of the allocated sites have not been fully recognised,

[REDACTED]

Following the Council's 1987 Consultation on an Ongar Bypass and associated development, in 1991/2 the family promoted the 'Fresh Face for Ongar' scheme. The scheme proposed a contribution to bring forward the then planned County Council Eastern Bypass for Ongar, coupled with new housing, open space, improvements to the High Street and a new supermarket.

In a forerunner to 'Localism' Ongar residents were fully consulted on the plan, even to the extent of taking over a shop in the High street for an exhibition, culminating in 5,112 questionnaires being circulated by the District Council to the residents of Ongar. There was a 45% response rate with 55 % in favour and 38% against with 7% don't knows. This represented a stronger vote in favour of development than these numbers suggest, as at the time Ongar had been promised its bypass from public funds without any development attached by 2010.

Whilst the overall vision of 'Fresh Face for Ongar' has not been realised, the plan did bring forward Ongar's much needed major supermarket and the proposal received an 'honourable mention' in the Local Plan that followed.

A Fresh Face for Ongar proposed providing a proportion of the funding required to deliver a bypass, with the remainder being provided by Essex County Council. However, this crucial element of Government funding is not currently in prospect.

Without Government funding the delivery of a by-pass would not be viable. However, we recognise that priorities may change in the future and with that in mind the proposed scheme does protect the County Council's eastern bypass route.

Since the Fresh Face for Ongar proposals, the need for housing for local young people has become increasingly acute. Epping Forest is amongst the top 50 least affordable districts in the country.

The ethos behind our proposal was that any development we put forward should meet the specific needs of Ongar. In particular it should provide long term affordable homes for local resident families through a Community Land Trust. It should respect infrastructure and other constraints and meet the wider needs of the town. It should be of a design quality of which Ongar would be proud.

This 2018 Local Plan was an opportunity, perhaps the only chance to address Ongar's issues and opportunities. The fact that it has totally failed to measure up to the task cannot be ignored. A plan as flawed as this cannot be better than no plan whatever the perceived pressures from Government

During the long drawn out process, almost ten years, which this plan has taken to be produced Epping Council lost key personnel. The resulting use of Consultants with no knowledge of the area and seemingly little care for the accuracy of their assessments has resulted in a Plan for the District which is fundamentally **unsound** and **unjustified**.

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ONGAR SPATIAL STRATEGY.

The Plan fails to assess reasonable alternatives to the spatial strategy for Ongar, in particular, the alternative of permitting development on the south eastern side of Ongar. This is contrary to paragraph 182 of The National Planning Policy Guidance and contrary to the EU policy advice contained in 'Implementation of Directive 2001/42. In particular:

"The essential thing is that likely significant effects of the plan or programme when the alternatives are identified, described and evaluated in a comparable way. ...it is essential that the authority ... responsible for the plan as well as the authorities and public consulted are presented with an accurate picture of what reasonable alternatives there are and why they are not considered the best option."

Implementation of Directive 2001/42 Para 5.12

It is not a requirement of preparing a local plan to have spatial options for settlements – this is a step that this Plan has decided is needed, not a requirement of plan making per se and one if misused will cause problems.

The flawed decisions on whether to consider spatial options for Ongar and then how many spatial options there should be, where they are and which sites fall within which spatial options is the primary reason why the Plan for Ongar is fundamentally flawed.

The options chosen in the plan for development around Ongar were North, East, South and West. The unexplained establishment of these options (i.e. deciding to have these four, plus the option of building inside development limits, rather than more options) plus the decision on what sites are included in what option (i.e. what constitutes an 'eastern' site as opposed to a 'northern' or 'southern' site etc.) were apparently made at a Local Plan Officer Working Group on the 13th and 14th June 2016.

Clearly other possible reasonable alternatives (North West, South East etc) were not assessed. In particular given Greater Ongar's unusual shape the possibility of both cardinal and intercardinal spatial options, giving eight altogether were not assessed. There is no explanation as to why the Plan's proposed delineation is preferred to any alternatives. It follows that this approach is in breach of EU obligations.

Step 2 of the Report on Site Assessment (page 14) states :

If sites were located in spatial options judged to be a less suitable location for growth they were not considered further through the site selection process.

As a direct consequence of the misuse of the spatial methodology at Ongar the Plan has been denied an accurate picture of what reasonable alternatives were available. Again in breach of EU obligations.

Clearly the reasonable alternatives established and the decision on which is the best alternative is not evidence based.

As a consequence the site assessment stage 3 process: *Those sites located within the more suitable settlement alternatives will then be assessed in order to identify the 'best' fit sites in that settlement.*" cannot be sound

At the time that the Local Plan Officer Working Group made these decisions on the 13th and 14th June 2016. They had available a Strategic Land Availability Assessment (SLAA) conducted by Nathaniel Lichfield and Partners.

The result of this assessment was that at least one site to the then rejected south had a better score (a lower level of constraint) than all but one of the 8 sites to the north and west allocated for Ongar in the Submission Plan. In addition one site supporting an Ongar Community Land Trust but notionally to the East and therefore rejected at Stage 1 scored lower, therefore better than sites which have now been allocated 44% of Ongar's housing.

Strategic Land Availability Assessment 2012

		SLAA Score	Allocated	
SR-0186	Land Adjacent to Chelmsford Road near Wantz rounabout	1.613	Yes	ONG.R4
SR-0053	Land West of the Brentwood Road Marden Ash	1.619	Yes	ONG.R7
SR-0268	Land to the South of the Kettlebury Way	1.619	No	
SR-0102	Land west of Fyfield Road	1.631	Yes	ONG.R3
SR-0390	Greenstead Road Ongar	1.638	Yes	ONG.R5
SR-1085	Land adjacent to High Ongar Road	1.638	Yes	ONG.R4
SR-0090	Land to the East of Longfields	1.644	No	
SR-0184	Land adjacent to High Ongar Road	1.663	Yes	ONG.R4
SR-0391	Land between Stanford Rivers Road and Brentwood Road	1.669	Yes	ONG.R6
SR-0120	Bowes Field Ongar	1.675	Yes	ONG.R1

It should have been obvious to the Local Plan Officer Working Group that the spatial criteria decided for Ongar was not producing logical results and was therefore not fit for purpose.

As a result of the misuse of the methodology the Plan has been denied an accurate picture of the reasonable alternatives. This is contrary to paragraph 182 of The National Planning Policy Guidance and contrary to the EU policy advice contained in 'Implementation of Directive 2001/42.

In the Regulation 18 Draft Plan the preferred options (in the case of Ongar, to the north and west) were chosen.

The assessment of the spatial option to the East is described in the Site Selection Report statement:

“This option would significantly harm the Green Belt, compromise the historic setting of Ongar and is more sensitive in Landscape terms. Expansion to the east of the settlement could also harm the Scheduled Monument Ongar Castle.”

The same reason (only excluding the impact on the Castle) was given for discounting development to the ‘south’ of the town.

However, as a result of the Regulation 18 consultation sites to the North and West of the Town were reconsidered and either dropped out completely or were reduced in size. The Submission Plan without any reference to the previous spatial assessment, without any further evidence, now included the option to develop to the south. It states :

“Ongar - Southern Expansion: The suitability of this strategic option was amended to more suitable to better reflect the Council’s evidence base. Although the strategic option is less preferential in terms of its location, it is less harmful in Green Belt terms relative to other strategic options around the settlement, and most of the strategic option is also less sensitive in landscape sensitivity terms (in particular, the western area to the west of Brentwood Road). “

At the time of writing 26nd January 2018 the detailed 2017 Site Selection work was not available. The Council state on their website:

“the Council is yet to publish all of the detailed appendices which accompany the Site Selection Report and provide details relating to the assessment of individual sites.”

The information currently available concerning the sites allocated in the Local Plan Submission Version is sufficient to allow any disappointed party promoting non-allocated sites to make representations as to the comparative merits of allocating the promoted site.

There is therefore currently no evidence to show how this assessment has been made, in particular the relative merits of ONG.R6 as opposed to SR-0090.

We have no “ accurate picture of what reasonable alternatives there are and why they are not considered the best option.”

In particular the logical result of this reassessment is that site SR-0090 to the South East of the Town which does not *“harm the Scheduled Monument Ongar Castle”* should also be included in this reassessment.

In the Councils own words:

The Local Plan must be justified as “... the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence”. This is a key test of soundness and is fundamental to the site selection process.”

Clearly without seeing of Site Selection Report the Plan has not shown it is justified and has therefore failed this key test

HOUSING NUMBERS AND TRAJECTORY

The Settlement Hierarchy Technical Paper (SHTP) provides the evidence base to establish the settlement hierarchy. The SHTP provides a list of facilities and services against which settlements are scored.

Settlements with a score of higher than 21 are deemed to be towns, which have, "...a good range of services and facilities, including good public transport access." The SHTP establishes that Ongar with Epping and Waltham Abbey are the three "Towns" in the District. Ongar has an important additional role as it serves the surrounding rural area.

Given its stature Ongar is in many ways a more suitable site for additional housing than North Weald. It is therefore accepted by most people that the Housing numbers suggested for Ongar of 590 plus the 110 just starting their build is sustainable if spread over a whole Plan period to 2033.

However the housing trajectory indicates that these 700 houses are planned to be built in the first 7 years of the plan, this is not sustainable.

Disregarding the housing allocated to Harlow in the so called 'Garden Towns'. During the four peak build years of the plan Ongar's residents, who make up just 5% of the District population, will have to try and absorb 20% of the District's Plan build.

New housing is needed but the boom and bust housing programme where not just the 590 houses in the plan but also the current 110 which are just starting to build will severely disrupt the demographics of the town. Ongar's services cannot be sustained, particularly the schools, without substantial early investment.

The National Planning Policy Framework Para 10 states: *"Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas."*

In the case of the proposals for Ongar this clearly has not been achieved so therefore the plan is unsound.

HOUSING DENSITY ONG.R1 ONG.R2 ONG.R4

The submission Plan has allocated 590 homes for Ongar of those 397 or 67.3% are around the Wantz roundabout.

The Arup Site Suitability Assessment which directly lead to this allocation was based upon 30 dwellings per ha.

Justifying this decision in the Text Arup state:

Low density development is proposed which reflects the character of the area. Therefore, development is not likely to have an impact on the character of the area.

Without any evidence offered the plan disregards the premise upon which the site assessment was made. The density of the housing around the Wantz in the submitted plan is proposed to be 40 dwellings per hectare. Clearly it must now be assumed that these allocations will have “*an impact on the character of the area.*”

The concern about the impact of dense housing on the edge of the town is reflected in the average density of the remaining 184 dwellings allocated to Ongar which are at 27.8 houses per ha, a 30 % reduction on the Wantz allocations.

There is also an additional concern in that the allocation of large sites of dense housing to the north of Ongar's core will tend to perpetuate indeed strengthen, the socioeconomic imbalance in the town.

It seems clear that the allocations around the Four Wantz are contrary to the Local Plan Objectives: “*to ensure that the design, density, layout and landscaping of new development is sensitive to the character of the surrounding area.*”

North Weald is the only settlement where explicit consideration has been given to the factors outlined in policy SP3 when determining site capacities, via the North Weald Master Planning Study which states:

“Dwellings at settlement edge locations, adjacent to fields or other non-developed areas, have been set lower at 30dph.” Only development ‘close to the existing commercial centre’ is considered appropriate for densities of up to 40 dph. Dwellings beyond this area that are not in settlement edge locations are suggested at 35 dph.”

It is clearly not justified that the approach to settlement edge densities at North Weald and the other sites around Ongar is not also deemed appropriate for the edge of settlement sites around the Four Wantz . They too are ‘adjacent to fields or other undeveloped areas’.

When the constraints of settlement boundary and pollution are taken proper account of the allocation to these three sites will need to be reassessed. Currently the Plan is unsound and undeliverable as the constraints of these three sites with 67% of Ongar's proposed housing has been ignored.

AFFORDABLE HOUSING

The Plan which covers the period up to 2033 allocates 590 homes to Ongar, of which 40% should be “affordable”, a total of 236 affordable homes. The Plan also indicates that because of the requirement to correct the 7 year undersupply in the wider District that these 590 homes are to be built in just a six year period from 2020 to 2026.

The inevitable result of this proposal is that very few of the young people born and bought up in Ongar and the surrounding rural area will get the opportunity to take advantage of these affordable homes.

This one off flood of affordable housing will in the main be taken up by those coming new to the area, leaving new generations of Ongar’s young people with once again only one choice, to move away from family and friends.

In addition, owing to Right to Acquire legislation, affordable housing as conventionally provided via a Registered Provider, is not guaranteed to remain within the definition of affordable housing in perpetuity. They could be, in fact probably will be, purchased by their original occupants and sold on as open market housing.

It is vital for sustainability of Ongar and its surrounding rural area that a substantial proportion of the affordable housing provided by this one off six year house building boom in Ongar is guaranteed to remain affordable in perpetuity. There is too much weight given to the numbers of so called affordable homes rather than the continuing quality of their affordability.

One route, perhaps the only route to achieve this is to enable the people of Ongar to join together and establish a Community Land Trust (CLT).

A Community Land Trust is a non-profit, community-based organisation run by volunteers that develops housing or other assets at permanently affordable levels for long- term community benefit.

The Epping Forest Council Housing Strategy 2017-2022 includes as part of a “Key Action Plan” a commitment on Community Land Trusts :

“To identify existing and new participants for these models of housing delivery.”

The Council has received allocations of funding from the Government to develop, promote and implement Community Housing. However no priority has been given in this plan to schemes such as at SR-0090 and SR-0268 which offer Community Housing.

Sites which offer housing for a Community Land Trust should be given priority. By use of special reserve sites the Plan should deliver Community housing on an ongoing basis up to and beyond the plan period. Ongar needs a generation’s worth of Community Housing. The absence of support for offers of Community Housing in this plan renders the plan unsound.

INFRASTRUCTURE

Paragraph 6.4 (page 182) of the Local Plan states that *'In order to deliver sustainable and balanced growth outlined in this plan, significant investment in infrastructure is required to meet the needs of residents and business.'*

The Infrastructure Delivery Schedule for Ongar lists the following “essential” requirements:

Highways £5 million. Education £7.2 Million. Health part of £1.9 million. Open space £2.3 million. Plus unknown sums for Community Facilities and waste water upgrades. In total more than £16 million for the costed items.

There can be no denying that this is a substantial investment. Divided amongst the Ongar market houses this represents over £45,000 per house in Community charges which will challenge the deliverability of a number of sites.

There is no evidence available in the plan to show that this Infrastructure Delivery Schedule is *"... the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence"*.

Road Traffic

Para 3.84 of the Plan states:

"An initial analysis of traffic growth across the District has shown that even without development in the future, parts of the highway network will be operating over-capacity, in some cases by 2026 and in other cases by 2036. Whilst some junctions could be improved most physically cannot be improved or would have environmental consequences by doing so."

The only road infrastructure improvements envisaged for Ongar are improvements to the roundabouts at the Wantz and the top of Coopers Hill. The intention is:

"Enhanced roundabout with local widening to increase approach lane and circulatory capacity"

By any standards this is a minimal response to this acknowledged problem. Furthermore the Infrastructure Delivery Schedule for Ongar shows a delivery date of 2030, at least seven years after the houses are built, and a collective cost of £4million. Waiting so long for so little at such a cost cannot be considered in anyway sustainable and is unsound.

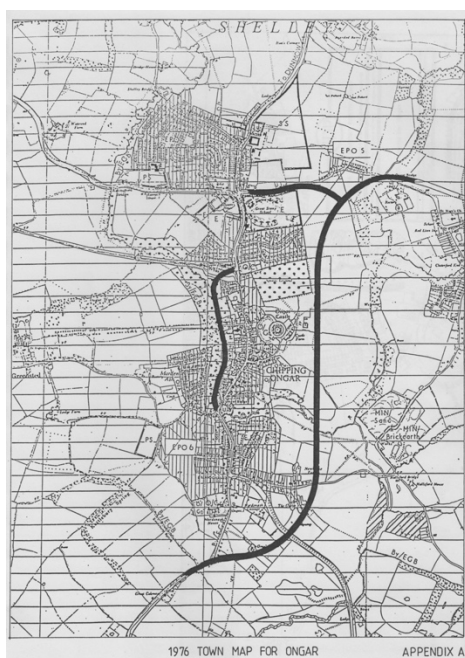
The Ongar Bypass

The end of this Plan period in 2033 takes us to the centenary of the first Plan for the area, the “West Essex Regional Plan 1932” which first showed the Ongar Bypass

The Epping and Ongar Rural District Council stated in their 1968 Plan

“ The traffic in the High Street has grown greatly and conditions are now unpleasant and frustrating at many times of the day, both for vehicles drivers and pedestrians”

The solution in the 1968 plan was both an Inner Relief road and an Eastern Bypass.



This was carried forward to the 1976 plan

The 1984 Draft Plan included an Inner Relief Road. In 1987 The Council consulted on three bypass routes and the decision was to go forward with the Eastern Route, this time backed up by the prospect of part finance through development.



At the 1987 Plan inquiry the then Council Chief Planning Officer said

“ Heavy traffic in the narrow High Street through a busy shopping area detracts from the comfort of shoppers and pedestrians, and mars the character and appearance of an outstanding Conservation area with a particular charm. In my view a bypass is obviously necessary and deferral much beyond 1995 far from satisfactory.”

In 1992 Draft Plan the Bypass was promised before 2010 and sooner if the Council decided to go forward with the Fresh Face for Ongar scheme.

This is the first time since 1932 that a Plan for Ongar has been tabled without any proposal or indeed any hope of a reduction in the traffic problem in the High Street.

Whilst we must acknowledge that a bypass remains a distant prospect it is important to acknowledge in this plan that it is a future possibility.

Lessons of the past have to be learnt. The inner relief road which was a promoted solution through the 60's 70's and 80's is now not possible because recent permissions have allowed building over the route.

The need to improve the Wantz roundabout recognised in this plan will be thwarted by the Higgins Homes development of the old Council yard which was allowed to be built right out to the pavement leaving no room for road widening.

The Eastern route chosen in 1987 was favoured partly because there was the option to carry it on north to meet the Fyfield Road bypassing Shelley. Traffic through Shelley has recently increased because of the Gables development, The Medical centre and the Ongar Academy . Shortly also the 110 house being built on the old Rhône-Poulenc site will add to the burden on the B184 though Shelley. All of this reinforces the requirement to keep the option of an extended Bypass open. As currently planned the allocated site ONG.R4 restricts that option.

Sites should not be allocated for housing that may in future block the route of the Ongar Bypass.

Schools

Ongar should not be made to suffer because Epping Forest District Council have for seven years neglected their clear responsibilities to provide sufficient housing. The misguided Housing Trajectory which plans to build 700 houses in Ongar in the space of little more than six years is a direct result of this failure at District level. It brings with it an inevitable pressure on school places.

The Infrastructure Delivery Schedule for Ongar shows “essential” school expenditure of £7.2 million to 2026. This is as a direct result of having to cater for a baby boom brought about by an unsustainable Housing Trajectory.

A boom and bust Ongar is not a sustainable Ongar. A steady growth over the whole plan period would enable resources to be used more efficiently and therefore sustainably.

The Plan is unsound and unjustified.

Health

The additional 700 houses in Ongar will add 20% to the population reliant on the Ongar Health Centre.

The Infrastructure Delivery Schedule suggests:

“716 sqm additional GP floor space across the Epping, Ongar & Abridge Neighbourhood Area”

Certainly, some of that space will need to be delivered in Ongar. However, the residential allocation of ONG.R3 threatens the expansion of the Health Centre.

The original parking for the Leisure Centre has to now serve the Medical Centre and the School together with the increasing use of the facilities by the rugby and football clubs. All are set to expand. Part of ONG.R3 should be reserved for additional Health Centre parking.

Open Space

The Infrastructure Delivery Schedule for Ongar states.

“Ongar currently has sufficient amenity greenspace but will require additional greenspace later in the plan period. Where appropriate, development proposals will be required to provide open space in accordance with the guidance contained in the Open Space Strategy. Nationally adopted standards will be used as a starting point for provision”

The large housing estates around the Wantz have been allocated 67% of the additional housing for Ongar at a density of 40 houses per ha. Housing at this density on the Town Boundary is incompatible with the aspirations set out under “Open Spaces” in the Infrastructure Delivery Schedule.

In 2010 Ongar Town Council applied to have Bowes Field ONG.R2 protected as a village green, however the application was dismissed by a planning inspector in January 2011. The County council upheld this decision, accepting that the use of the land had stopped in either 2003 or 2004, making the period of use at least 17 months short of the 20 years required to protect it.

The District Council has now the opportunity within this plan to acknowledge this long held wish by allowing within the allocation for Bowes Field space for a village green. This open should now be a requirement for the development of Bowes Field ONG.R2

Cycleways

Policy DM5 states :

Development proposals must demonstrate that they are designed to enhance connectivity and integration by providing pedestrian/cycle access to existing and proposed Green Infrastructure networks and established routes, including footpaths, cycleways and bridleways/Public Rights of Way;

A key element of the vision for the site SR-0090 was for providing high quality pedestrian and cycle linkages to the Town's facilities. This is achievable given the extent of the land under our control. In addition to the green lane, cycle and pedestrian paths that encircle the scheme, the Padfield family aim to provide a high quality, surfaced path between the scheme, via a new foot and cycle bridge (to replace the existing agricultural concrete bridge) across the river, to connect to Bushey Lea and the existing footpath through the allotments. These linkages will provide direct access to the High Street, encouraging walking and cycling.

The family hope that the proposed green lane foot and cycle paths will form the foundation and catalyst for an extension of the path scheme throughout the town in particular to serve the Academy, including the establishment of new safe crossing for pedestrians and cyclists across the A414 to the east of the Four Wantz roundabout.

It is not clear from the evidence that any consideration has been given in the allocation process to the delivery of Policy DM5. If an Eastern cycleway is to be delivered for Ongar then this needs to be reflected in the housing allocations in ONG.R4

Diversion of High Pressure Gas Mains

This issue typifies Arup's muddled, confused, and careless preparation which has robbed this Plan of so much credibility.

The Submission Plan Infrastructure Delivery Schedule for Ongar states.

Potential diversion of gas mains which pass through proposed development sites (ONG.R7). Alternative is to retain in position and design the site around an easement along the pipes. The potential easement / diversion will be dependent on the type of main - the options for these sites should be considered on a site-by site basis,

There is no gas pipeline within 500 meters of ONG.R7.

Earlier in Stage 1 of the site assessment SR-0268 was deemed undeliverable because of “HSE safety zones, and it was felt that this constraint could not be overcome.” Once again there is no gas pipeline with 500 metres of that site.

However site ONG.R5 has been allocated when it has a main gas pipeline actually crossing the site. It seems that no account of this constraint has been included in the assessment of ONG.R5. Using the criteria which was applied to SR-0268 the delivery of this site must be in question.

Ongar Leisure Centre

The Infrastructure Delivery Schedule for Ongar states:

The Council has committed to considering options to re- provide improved facilities to replace the existing leisure centre. This might include re-provision in an alternative location.

The continuation of this policy by the backdoor (the site was originally allocated for residential in the Regulation 18 Plan) is not acceptable to the people of Ongar. It is directly contrary to the guidance in National Planning Policy Framework Para 70:

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
- *Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community;*

TRAFFIC AND AIR POLLUTION. ONG.R1 ONG.R2 ONG.R4

The NPPF states in Para 110:

“In preparing plans to meet development needs the aim should be to minimise pollution and other adverse effects on the local and natural environment”

Planning practice guidance Para: 005 Reference ID: 32-005-20140306 states that a Plan should not:

Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor air quality.

Significantly affect traffic in the immediate vicinity of the proposed development site or further afield. This could be by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; or significantly altering the traffic composition on local roads.

The Submission Plan states:

“The Council will seek to ensure that the District is protected from the impacts of air pollution. Potential air pollution risks will need to be properly considered and adequate mitigation included in the design of new development to ensure neither future, nor existing residents, workers, visitors, or environmental receptors including the Epping Forest SAC are adversely impacted as a result of the development.

The submission Plan has allocated 590 homes for Ongar. Of those 397 or 67.3% are within 150 mtrs of the A414 and A113 around the Wantz roundabout in Ongar.

The density of the housing around the Wantz is 40 dwellings per hectare which is higher than normal given the sensitive position on the boundary of the town.

Current traffic surveys done prior to any development show the A414 movements west of the Wantz at 18,395. A414 east of the Wantz 12,147 and the A113 to the Wantz 16,402

All traffic numbers from Department for Transport Traffic Counts Essex.

The A414 is described on Page 12 of the submission plan as:

The A414 is a key east-west route and this crosses the District from Harlow to Ongar on the way to Chelmsford and the Essex coast.

Epping Forest Council show no Air Pollution data for the Wantz roundabout area.

However Chelmsford Council have been monitoring pollution levels along the A414

“Chelmsford City Council monitors air quality along the A414 in Danbury and there is a small pollution hotspot where concentrations of Nitrogen Dioxide (NO₂) are borderline with the Air Quality Objectives. A scheme to improve traffic flow on the A414 through the centre of Danbury at peak times has been completed however, it appears that a combination of traffic management work further along the A414 and increased traffic volumes may have contributed to the marked increase in pollution measured in 2016.”

Essex Air Quality Consortium Consisting of all Local Authorities in Essex, Essex County Council, the Environment Agency, London Stansted Airport and the University of Essex,

The traffic flows at Danbury are at 16,601, which is lower than those that exist at Ongar Wantz .

Both Danbury and the Ongar Wantz share a similar topography, vehicles have to climb into the congested area leading to greater NO_x emissions.

In addition because of the congestion around the Wantz roundabout traffic slows often to a halt which again predisposes towards higher NO_x emissions.

National Atmospheric Emissions 2013 data

It is certain that air pollution around the four Wantz will require mitigation and therefore will be a constraint on the allocation of 67% on the new Ongar homes in the Plan. There is a real danger that a substantial percentage of these homes proposed around Ongar are not deliverable as suggested in this plan. The plan is therefore not deliverable.

SITE ASSESMENT ISSUES.

The Stag ONG.R6

The Stag Public House is an old and attractive building located in Marden Ash, out of the town centre. The residential allocation of the car park will spoil the street scene and the historic character of the Public House.

It is clear from the Site Deliverability and Capacity Assessment that the loss of the car park would result in the cessation of the pub use. Under 'existing uses' the assessment outlines that "The landowner has confirmed that the existing public house use could cease in the short term."

The National Planning Policy Framework (NPPF) requires Councils in Para 70:

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- *Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community;*
-

Clearly the proposal in P4 ref site ONG.R8 runs contrary to all three of these requirements in Para 70 of the NPPF and is therefore unsound.

Greensted Road. ONG.R5

This site has a high pressure gas pipeline running directly across it. At the time of writing 26th January 2018 the detailed 2017 site selection work was not available. Epping Forest District Council state: "the consultant is still working on it". It is therefore not known what account has been taken of the pipeline in the allocation.

However another site 500 metres away from the gas pipeline was not considered for allocation because of "*HSE safety zones, and it was felt that these constraints could not be overcome.*"

The plan is therefore not sound as this site is by the Council's own criteria used in SR-0268 not deliverable

West of the Fyfield Road ONG.R3

Residential development on this site will preclude any extension of Ongar's Health Centre. This facility serves not just the people of Ongar but over 11,000 people from Ongar and the surrounding rural area. The Infrastructure Delivery Schedule states: *"716 sqm additional GP floorspace across the Epping, Ongar & Abridge Neighbourhood Area"* is needed. A substantial portion of that needs to come to Ongar. The residential allocation of ONG.R3 compromises the delivery of the Infrastructure Delivery Schedule.

Marden Ash Farmyard. SR-0268

The site comprises a parcel of land being a redundant farmyard including derelict buildings and the associated stackyard adjacent to Kettlebury Way on the southern boundary of the town of Ongar, to the west of Marden Ash House.

The land extends to a total of 1.51 ha, although this includes two access spurs, one to the north and one to the south, joining the site to the A113. The net area excluding these spurs is 1.07 ha.

The site was included in the Strategic Land Availability Assessment (SLAA) of 2012 (updated 2016) conducted by Nathaniel Lichfield and Partners. The SLAA assessed each Ongar site on the basis of scoring against 31 different constraints.

The result of this assessment was that this site had a better score (a lower level of constraint) than all but one of the 8 sites allocated for Ongar in the Submission Plan.

Strategic Land Availability Assessment 2012				
		SLAA Score	Allocated	
SR-0186	Land Adjacent to Chelmsford Road near Wantz rounabout	1.613	Yes	ONG.R4
SR-0053	Land West of the Brentwood Road Marden Ash	1.619	Yes	ONG.R7
SR-0268	Land to the South of the Kettlebury Way	1.619	No	
SR-0102	Land west of Fyfield Road	1.631	Yes	ONG.R3
SR-0390	Greenstead Road Ongar	1.638	Yes	ONG.R5
SR-1085	Land adjacent to High Ongar Road	1.638	Yes	ONG.R4
SR-0090	Land to the East of Longfields	1.644	No	
SR-0184	Land adjacent to High Ongar Road	1.663	Yes	ONG.R4
SR-0391	Land between Stanford Rivers Road and Brentwood Road	1.669	Yes	ONG.R6
SR-0120	Bowes Field Ongar	1.675	Yes	ONG.R1

The Arup Site Suitability Assessment also of 2016 looked at 32 criteria. In doing so made the following errors.

"The site is almost wholly within a portion of a Wood Pasture and Parkland priority habitat. The site is likely to directly affect the habitat, but effects may be mitigable. Features and species in the site may not be retained in their entirety but effects can be mitigated."

Obviously the site was not inspected by Arup as in fact the Site is a redundant farm and stackyard.

The site had been offered as a site in the then Draft Local Plan of 1984 and was reported on in the Inspectors Report of 1987 which correctly described it in Paras 2.465 to 2.468 as follows:

“The objectors purchased the site (as sitting tenants since 1932) in 1974. They farm some 1,380 acres in the locality and this site which comprised farm buildings, cattle yard, brick buildings and barns was in use. After the development of adjoining land to the north (Kettlebury Way) the site was exposed to vandalism and two barns were burnt down. The site was used for keeping cattle until this activity ceased when the site was used for two or three years for cropping. This was unsuccessful and the land is now unused as are the buildings which stand derelict. The land is unsuited for any form of agriculture and the site is wrongly placed for the erection of farm buildings, which in any event would be vulnerable to vandalism.”

The Arup Site Suitability Assessment continues:

“Parts of the site are close to the A128 and therefore mitigation measures are likely to be required. Site lies within an area which has been identified as being at risk of poor air quality, but it is likely that the risk Parts of the site are close to the A128 and therefore mitigation measures are likely to be required. could be mitigated or reduced”.

In fact the site lies off and 120 meters back from the A113 not the A128. The site lies further from an A road than any of the 8 sites allocated around Ongar.

“Development would involve the loss of the best and most versatile agricultural land (grades 1-3).”

In fact the site has no value as Agricultural land other than historically being a farmyard.

The overview Arup Assessment refers to an HSE safety zone. There are two gas pipelines, one either side of the site. Both of these pipelines are more than 500 meters away from the site well outside the HSE consultation zone of 110 meters. Furthermore site ONG.R5 has been allocated when it has one of these gas pipelines actually crossing the site.

In September 2016 Arup reported in their B1.1 Overview of Assessment of Residential sites that *“This site is in moderately sustainable location at the edge of Ongar. However, it scores poorly against several criteria, including air quality and HSE safety zones, and it was felt that these constraints could not be overcome.”* Clearly the assessment of the site is in error and does not conform to the guidance.

The Epping Forest Council Housing Strategy 2017-2022 includes as part of a “Key Action Plan” a commitment on Community Land Trusts :

“To identify existing and new participants for these models of housing delivery.”

The owners of the site have offered 40% of the housing for an Ongar Community Land Trust but because of the errors in the assessment of the site the Council, contrary to their own policies, did not consider this opportunity.

The site represents an obviously strong defensible Green Belt. The allocation of the neighbouring ONG.R6 contributes to the logicity and strength of a Green Belt boundary encompassing both sites.

This conclusion was supported in principle by the Council when in the 1987 Plan Enquiry Para 2.486 they stated that:

“if this site (now SR-0268) is removed from the Green Belt then there is little justification for not extending this to cover “Dyers” and the White House thus extending the built up area along the whole of the southern edge of Ongar”

This current Plan goes beyond just Dyers and the White House to include allocated site ONG.R6. Using the logic the Council used in 1987 this site should also be released from the Green Belt.



The plan above shows the original Green Belt Boundary to the North in Green. The Submission Plan boundary to the South East in blue and the suggested revised boundary to the South West in red.

East of Longfields SR0090

The site lies to east of Longfields and north of Stondon Road and is an extension to the existing residential area. It has been given the number SR-0090 within the Local Plan process.

The existing built up area of Longfields currently forms an inappropriately hard visual edge to the residential area. Clearly in it's present form the Green Belt Boundary does not comply with Para 85 of the NPPF which states:

Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent



A comprehensive suite of technical work has been undertaken to establish the deliverability of schemes of 140 and 92 dwellings on the site SR-0090.

The Development Proposal Document (updated December 2016) Concept Master Plan Layout – 140 dwelling scheme Concept Master Plan Layout – 92 dwelling scheme Street Scenes (1 – 3 Traffic and Transport Appraisal Flood Risk Assessment Preliminary Ecological Appraisal Historic Environment Desk Based Assessment Topographic Survey.

The site was included in the Strategic Land Availability Assessment (SLAA) of 2012 conducted by Nathaniel Lichfield and Partners.

The SLAA assessed each Ongar site on the basis of scoring against 31 different constraints.

The result of this assessment was that this site had a better score (a lower level of constraint) than sites allocated 44% of the housing for Ongar in the Submission Plan.

Strategic Land Availability Assessment 2012				
		SLAA Score	Allocated	
SR-0186	Land Adjacent to Chelmsford Road near Wantz rounabout	1.613	Yes	ONG.R4
SR-0053	Land West of the Brentwood Road Marden Ash	1.619	Yes	ONG.R7
SR-0268	Land to the South of the Kettlebury Way	1.619	No	
SR-0102	Land west of Fyfield Road	1.631	Yes	ONG.R3
SR-0390	Greenstead Road Ongar	1.638	Yes	ONG.R5
SR-1085	Land adjacent to High Ongar Road	1.638	Yes	ONG.R4
SR-0090	Land to the East of Longfields	1.644	No	
SR-0184	Land adjacent to High Ongar Road	1.663	Yes	ONG.R4
SR-0391	Land between Stanford Rivers Road and Brentwood Road	1.669	Yes	ONG.R6
SR-0120	Bowes Field Ongar	1.675	Yes	ONG.R1

Despite the favourable assessment from Nathaniel Litchfield the site did not go forward to be assessed in detail. The package of information attached to the site was not considered. The fact that the site offered Ongar residents housing they needed to kick start the Ongar Community Land Trust was ignored.

The response from Epping Forest District Council to our concerns that the site was not accurately assessed was as follows:

*The result of their initial assessment was reported to elected Members at planning workshops over the Summer period. Members concurred with the conclusions reached by Arup that, as your site to the East side of Ongar is an area of higher flood risk, scores highly in terms of Green Belt and because any development to this side of the town would detrimentally affect the setting of the Castle, that the site should not proceed for further assessment. **As your site was eliminated at this stage, the further information provided in July 2016 has not been, considered.***

For those sites that met the initial test, further assessment has been undertaken with regard to availability, deliverability etc. I believe that your site was properly considered within the site selection process but did not progress beyond the initial assessment.

Email from Derek Macnab Director of Neighbourhoods & Deputy Chief Executive 12th Oct 16

The fact that the site was not reassessed when corrected information was made available to them is contrary to the Town and Country Planning (Local Planning) (England) Regulations 2012 states:

*In preparing the local plan, the local planning authority **must take into account any representation made to them.***

The following analysis takes each of these errors in assessment that have “*not been considered*” in turn.

“An area of higher flood risk “

The site is entirely in flood zone 1. The council were presented with a full Appraisal Flood Risk Assessment.

“Would detrimentally affect the setting of the Castle”

The Stage 2 Green Belt Review (2016) comprises the evidence base for judging relative harm to the Green Belt. Table 4.1 of the Review provides a summary of the relative harm development would cause within the parcels around each settlement. Land to the east of Ongar is situated within parcel 023.2 and the Review deems that release of this parcel would cause ‘very high’ harm.

It is clear from reading the Stage 2 Green Belt Review that there are errors within it in regard to parcel 023.2 to the east of the town, which throw significant doubt on the conclusion that site SR-0090 has been correctly assessed in Green Belt terms particularly in regard to the setting of the Castle.



This plan is a composite of Aerial Photo, Light Detection and Ranging (Lidar) 3d data, OS and Environment Agency data clearly shows Ongar and its Castle sitting on the promontory of land between the two rivers.

Also shown is SR-0090 East of Logfields, which was not considered at any point during the process as a consequence of being assessed by Arup to be on the East side of the Historic core of the Town.

It is not clear what methodology if any was used to assess damage to the Castle.

The Site SR-0090 cannot be seen from the Castle due to modern built area along Castle street, the valley woodland and the general topography.

No evidence was given that the loss of this Green Belt land would adversely affect the special character of Castle.

No evidence was given that the loss of this Green Belt land would reduce the significance of the Castle.

The land considered under the stage 2 Green Belt review as being the land to the east of Ongar comprises the western part of parcel DSR023 and is given the label number 023.2. This is shown on the plans within the Stage 2 review as stretching from the A414 in the north, to the Stondon Road in the south.

Within the Technical Annex to the Stage 2 Review the 'Features Used to Define Parcel' for parcel 023.2 are:

"River Roding forms relatively strong boundaries to the south and east;

"A414 forms strong boundary to the north".

"St Peters Way and the Three Forests Way run through the parcel"

Land Use includes:

Arable land

Allotments

Playground

Recreation ground.

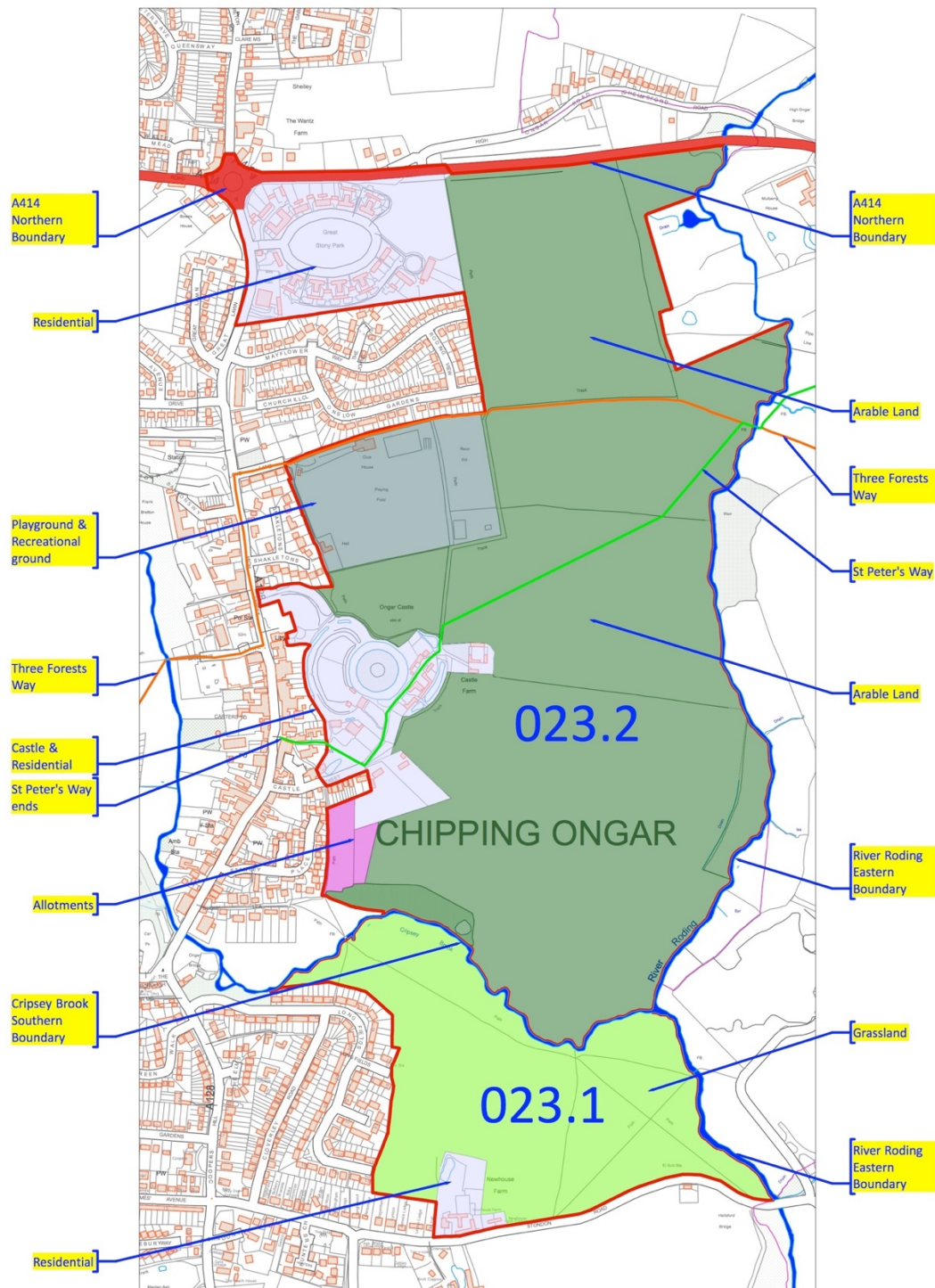
Individual detached properties

However, contrary to the text the plans within the Stage 2 Green Belt Review clearly show parcel 023.2 continuing south over the River, the primary strong boundary which was stated as the southern boundary in the text, further south to the Stondon Road.

In doing so they have included in the parcel 50 acres permanent grassland which whilst being worthy of comment in any description of land use did not figure in the 023.2 description. If the text had intended it to be part of parcel 023.2 it would have constituted the second largest area in that parcel.

Under 'Features used to define parcel' the features used are consistent with the Review methodology outlined at table 3.1, which states that watercourses are deemed to be features that form strong boundaries. If 023.2 was intended to go to the Stondon Road then the alternative of the river boundary should have been acknowledged. It was not.

In the description of the land use no mention is made of grazing land, which comprises the current use of the land to the south of the river/north of the Stondon Road (i.e. parcel SR-0090).



The strong suspicion is that there was once but not now a parcel named 023.1 which took in the land south of the river and north of the Stondon Road. Within the Green Belt assessment – the numbering for the sub-parcels within DSR023 begins at 023.2.

This would also explain why the whole parcel 023.2 is judged to contribute strongly to the fourth green belt purpose, that of preserving the setting and special character of historic towns, without qualification, even though it is obvious that the part of the parcel to the south of the Cripsey Brook/River Roding, which is divided from the historic core of the town by the river and associated woodland cannot be seen from the Castle.

Site SR-0090 is situated adjacent to the 1950s development at Longfields and does not contribute to maintaining the linear nature of the historic core of the town, could not logically be argued to contribute 'strongly' in this regard, and would be better argued to make a 'moderate' contribution.

This view is backed up by Appendix B1.4.2 of the SSR sets out the outcomes of the stage 2 suitability assessment. Included within this stage 2 analysis is criterion 1.8a 'Impact on heritage assets'. Site SR-0090 is outlined as having a neutral impact on heritage assets, with the commentary that "proposed site located within the setting of a heritage asset and effects can be mitigated."

Overall parcel 023.2 is predicted to result in 'very high' harm to the green belt if it were released for development, based on the contribution to the three green belt purposes.

However, given the evident errors in the stage 2 green belt review and the revised analysis above, a proper appraisal of the area to the south of the river 023.1 should reveal that the SR-0900 release would cause at most a 'high' level of harm, and more realistically a 'moderate' level of harm.

A 'high' level of harm would equate to the same level of harm as 6 out of the 7 sites proposed for release from the green belt around Chipping Ongar. At a 'moderate' level of harm it would perform better than 6 of the sites proposed for release.

It seems clear that any reliance on the SELSS in considering development at the site scale would not be robust. In fact, the SELSS itself clearly states at paragraph 8.6.1 that, "Further assessment work would, however, be needed to examine site-specific landscape and visual sensitivities."

In fact, development in the area of Longfields would offer opportunities to establish a more sympathetic transition between town and countryside. The 1950s housing which comprises Longfields is not sheltered by any vegetation and the SELSS notes (within figure 12.1) that there is a hard urban edge in this vicinity.



Once again, drawing a broad brush conclusion that all sites to the east of the town exhibit greater sensitivity than those to the north and west of the town is not justified by the evidence base. As such the conclusions reached in the SSR for rejecting all development to the south east of the town are not justified

THE PLAN MAKING AND CONSULTATION PROCESS.

We responded to the first call for sites for this Plan in 2008. The fact that the citizens of Epping Forest District Council find themselves ten years later being told at this last minute that they have to accept this flawed Plan or else, can only represent a democratic failure by Epping Forest Council.

The History of this Plan process is a painful one, what follows is our experience.

Epping Forest Council issued a 'call for sites', in 2008. We like many others offered our site at that time. In 2011 we exchanged correspondence and at their invitation we met with officers in January of 2011 for in their words "a general discussion about your thoughts for the Ongar area".

Yet despite these meetings and correspondence our proposals were because of multiple "clerical errors" twice missed in 2012 from the "Community Choices Issues & Options for the Local Plan" stage leading to last minute changes to the documentation presented to Local Plan Cabinet Committees. We also found that our site was missed from documentation sent to the then consultants, this was also later corrected.

At a meeting in April 2015 we presented for discussion a detailed master plan. After a good discussion we were encouraged to formally submit our proposal.

The whole Proposal Package was held in a drop box website it included 18 separate documents and reports totalling 77mb of data, Master Plan and Prospectus together with the required reports on Highways and Access, Ecology, Flood risk, Archaeology and Community Land Trust. The reception of that package was acknowledged by officers

Given our meetings and correspondence we without further thought assumed that our scheme was being considered. However we later went back over our access logs and as far as we can see none of the documentation has ever been accessed or even attempted to be accessed by the Forward Planning Team. As a result, clearly as a matter of fact, EFDC have not considered all 'reasonable alternatives' and so the Draft Plan cannot be legally compliant.

Coming to 2016 it was now 8 years since the 'official' Call for Sites closing date in 2008 it was unsurprising that Arup, on behalf of Epping Forest, sought updates in July of 2016 from those who had put sites forward – the majority of which would have been submitted in 2008.

In fact, the NPPG makes clear that the SHLAA should be updated annually. Given the time that had elapsed, arguably Epping Forest should have issued a fresh 'call for sites' to ensure any new sites were captured, as well as receiving up to date information on sites originally submitted in 2008. This would have been the most robust approach from a soundness and sustainability appraisal perspective.

Notwithstanding the failure to issue a fresh 'call for sites', it in fact now appears to be the case that Epping Forest had no regard to the information submitted to Arup in July 2016, but only that submitted prior to May 2016. This is not surprising as the Draft Plan was made public on 27th September 2016. Clearly there was no time for site information submitted in July to be considered. By May 2016 the 2008 information would have been 8 years old and in many cases woefully out of date. **This can only be a clear soundness failure.**

The process of selecting sites must have been undertaken based on out of date information, meaning the Plan faces the very real prospect of being both unsound owing to a failure to be justified and not legally compliant given the failure to properly consider the options available as part of the sustainability appraisal process.

Meanwhile in then ignorance of the situation with the Forward Planning Team we met with our District Councillors for Ongar and also gave a presentation to the Chairman and Vice Chairman of the Ongar Town Council.

Subsequent to these meetings and before the publication of the Regulation 18 Draft Local Plan we now understand that District Councillors were given the opportunity to comment on the Ongar section of the Draft Plan which they then found did not include our proposal. We are told that the Councillors actually drew in our scheme SR -0090 onto the Draft Plan stating that it should be included in the Draft Plan so that it could be properly consulted on.

Despite the Councillors drawing in our scheme onto the Draft Plan no effort was made by Arup or the Forward Planning Team to contact the District Councillors to query their support for a scheme which it seems the Forward Planning Team did not believe existed. A clear breach of Town and Country Planning (Local Planning) (England) Regulations 2012

The publication of the Regulation Draft Local Plan was the first time that Ongar's District Councillors became aware that their recommendation had been ignored. I understand one Ongar Councillor made enquires of the Forward Planning Team as to why our proposal was not in the Draft Plan and has been told that the proposal was not considered because it was not received by the closing date of May 2016. This was not correct as the whole Plan had been made available a year before following a meeting with Officers where it was discussed in detail.

Clearly the requirement to look at all the alternatives totally failed in the case of our SR- 0090 Ongar proposal. The process of selecting sites for the Regulation 18 Draft Plan must have been undertaken based on out of date information. Despite widespread criticism almost all of the proposals for Ongar in the Draft Plan appeared again in the Submission Plan.

The Plan is unsound owing to a failure to be justified (within the meaning under paragraph 182 of The National Planning Policy Guidance) and not legally compliant given the failure to properly consider the options available as part of the sustainability appraisal process.

An important part of the democratic process is that the representations made to the Draft Local Plan are made public so that a proper debate can occur. East Herts, whose Consultation closed a few days later than Epping Forest's, in December 2016, had their representations up on their website within days.

On 20th November 2017, nearly a year later, after several abortive requests for information on the Regulation 18 Draft Plan Representations, Derek Macnab, Director of Neighbourhoods & Deputy Chief Executive wrote:

"All the consultation responses will be available on the Council's website by the middle of next week, in advance of the Special Council Meeting on the 14 December, when Members are being asked to consider the Local Plan Submission for publication."

The submission Plan and the Regulation 18 Draft Plan responses were published almost simultaneously. This seriously damaged the democratic process as it has denied the public access to the full information submitted with regard to other alternative sites which had been rejected by Arup, the Council's Consultants.

Even after it was made available on the website the information was unusable as there was no means to search it. This puts in doubt that any of the submissions on the Draft Plan were in fact considered by Arup.

The merits of the alternative sites were in our belief denied public scrutiny. The Plan is therefore not legally compliant given the failure to properly consider the options available as part of the sustainability appraisal process.

The District Council met on 14th December 2017 to approve this Submission Plan. The best testament to the democratic failure of this plan can be found by listening to the webcast of that meeting. No councillor supported the Plan, most Councillors complained they had not been adequately consulted. Yet they bullied themselves into approving it. The tool they used to self bully was the "Homes in the right places Consultation".

Town and Country Planning (Local Planning) (England) Regulations 2012 states:

*In preparing the local plan, the local planning authority **must take into account any representation made to them** in response to invitations under paragraph (1). Paragraph 1 includes "such residents or other persons carrying on business in the local planning authority's area."*

Nowhere in the Act does it say that Councils are excused these duties if after 10 years of procrastination and inertia they have run out of time to plan properly.

Arup, the Council's consultants, have made multiple factual errors in the site assessments. These were reported to Epping Forest District Council by ourselves but it seems none of the errors were corrected.

There are also a number of such complaints from other landowners resulting in a question being put to the Council at the 26th September 2017 Council meeting.

“Do they agree that where the reasons given for sites not being selected are incorrect, sites ought to be re-checked?”

The response from Councillor J. Philip, Planning and Governance Portfolio Holder

“I consider that the site selection process has been undertaken objectively and comprehensively. New and updated information supplied by agents has been assessed and appraised. The Council therefore remains confident in its assessment of sites and a detailed exercise of re-checking sites would be unnecessary and would only serve to introduce delays to the plan-making process.”

Councillor Philip here clearly states that they are not rechecking sites that Arup have rejected even if it has been pointed out to them that the information leading up to that rejection is factually wrong.

This Regulation 19 Consultation should have given the *“residents or other persons carrying on business in the local planning authority’s area”* the opportunity to scrutinise the work to see at a site level whether it has *“been undertaken objectively and comprehensively.”*

However despite several requests to Epping Forest District Council this site selection information has not been made available to those wishing to respond to the Regulation 19 Consultation.

In their Frequently Asked Questions section of the Local Plan website the Council state the following:

“The Site Selection Report has been published by the Council as part of the Regulation 19 Publication of the Local Plan Submission Version. However, the Council is yet to publish all of the detailed appendices which accompany the Site Selection Report and provide details relating to the assessment of individual sites. This does not mean that this assessment work has not been completed, but rather the delay in the publication of the appendices is due to the time it takes to generate the pro forma for each site, including the mapping for each site, all of which must be checked for accuracy before publication. These appendices will be published by the Council prior to the Submission of the Local Plan for Independent Examination.

The Council considers that the suite of evidence base documents available is adequate and sufficient to enable those wishing to make representations on the Local Plan Submission Version to do so. The information currently available concerning the sites allocated in the Local Plan Submission Version is sufficient to allow any disappointed party promoting non-allocated sites to make representations as to the comparative merits of allocating the promoted site. However, for the avoidance of doubt, the Council will bring the publication of the remaining appendices to the attention of the Planning Inspector appointed to examine the Plan

to ensure that the issue can be considered appropriately through the Independent Examination process.”

The issue not covered in this Council response is the fact that a number of sites have been assessed on the basis of incorrect information. Without access to the Site Selection Report Appendices there is no way of checking if those errors have been corrected, or more likely not corrected.

Regardless of these issues the Submission Plan was published.

The following email circulated around all the Parish and Town Clerks in the District and the contents reported to Council meetings.

"The harsh reality is that if the Submission Version of the Local Plan is not approved on 14th, and the consultation not started on 18th December, there will not be enough time to get the plan to the inspector by 31st March 2018. If that doesn't happen, we're all going to be in trouble as the housing numbers will be almost doubled. Whatever we may think of the Local Plan and the allocations, the alternative doesn't bear thinking about!"

District Councillor Philip who leads the Plan process told Cabinet on 7th Oct 2017 said that failure to support this Plan:

“Would mean on adoption of the plan we could potentially be building a village the size of Theydon Bois in the District every year for the first 5 years.”

EFDC webcast

Again on 14th December 2017 he stated that:

“We would have to deliver almost 2,000 houses per year in the first five years of the plan”

EFDC webcast

No wonder there are complaints of bullying indeed of blackmail not just from residents but Councillors too.

The “Homes in the right places” consultation is just that, a consultation, and even as such contains caveats which would ameliorate the effects on Epping.

The Consultation states on Page 8

Local planning authorities then need to determine whether there are any environmental designations or other physical or policy constraints which prevent them from meeting this housing need. These include, but are not limited to, Ancient Woodland, the Green Belt, Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest. They also need to engage with other authorities – through the duty to co-operate – to determine how any need that cannot be accommodated will be

redistributed over a wider area. **This means that the level of housing set out in a plan may be lower or higher than the local housing need.**

And also on Page 12

For those authorities that do not have an up-to-date local plan (i.e. adopted over five years ago), we propose that the new annual local housing need figure should be capped at 40 per cent above whichever is higher of the projected household growth for their area over the plan period (using Office for National Statistics' household projections), or the annual housing requirement figure currently set out in their local plan.

It seems more than clear that the "Homes in the right places" Consultation is being used by the Council as a threat to usurp the democratic process. This is contrary to the Legislation backing up the Plan making process.

This section has described what by any standards has been a woeful performance by a District Council. They have the most out of date Local Plan in the country, they have for seven years failed to allow homes to be built which the young people of the District so desperately needed.

Now procrastination has been swept aside by panic and a Plan has been produced that can only be salvaged through extensive modification at a Public Enquiry. This is not the right way to proceed.

THE CONCLUSION AND CHANGES NEEDED IN THE PLAN.

This Plan is **Unsound** and **Not Justified** – as the plan is not the most appropriate strategy, when considered against the reasonable alternatives.

The Plan is **not Legally Compliant** given the failure to properly consider the options available as part of the sustainability appraisal process.

The Plan is **not Deliverable** as the constraints on many of the allocated sites have not been fully recognised,

The Plan should be modified in the following way.

The Green Belt Boundary around the Ongar should be drawn with a view that it is defensible well past 2033 and therefore should include additional sites but those sites should be held in Special Reserve.

(Paragraph 85 National Planning Policy Framework)

The whole of the Civic boundary of Ongar should be included in a Master Plan.

Current Allocated sites which have significant concerns registered against them should remain included but in Special Reserve pending the five year Review.

Ongar residents through their current Neighbourhood Plan process should have the opportunity to come forward within three years with a Plan for the Town with the view that that will be included in the District Plan five year Review.