

Representation form for Submission Version of the Epping Forest District Local Plan 2011-2033 (Regulation 19 publication)

This form should be used to make representations on the Submission Version of the Epping Forest District Local Plan which has been published. Please complete and return by 29 January 2018 at 5pm. An electronic version of the form is available at <http://www.efdclocalplan.org/>

Please refer to the guidance notes available before completing this form.

Please return any representations to: Planning Policy, Epping Forest District Council, Civic Offices, 323 High Street, Epping, Essex, CM16 4BZ

Or email them to: LDFconsult@eppingforestdc.gov.uk

BY 5pm on 29 January 2018

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Please attach any documents you wish to submit with your representation

Part A

1. Are you making this representation as? (Please tick as appropriate)

a) Resident or Member of the General Public ☐ or

b) Statutory Consultee, Local Authority or Town and Parish Council ☐ or

c) Landowner ☐ or

d) Agent ☒

Other Organisation (please specify)

2. Personal Details

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone
Number

E-mail Address

3. Agents Details (if applicable)

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Part B – If necessary please complete a separate Part B form for each representation

4. To which part of the Submission Version of the Local Plan does this representation relate?
(Please specify where appropriate)

Paragraph Policy Policies Map

Site Reference Settlement

5. Do you consider this part of the Submission Version of the Local Plan:
*Please refer to the Guidance notes for an explanation of terms

a) Is Legally compliant Yes ☒ No ☐

b) Sound Yes ☐ No ☒

If no, then which of the soundness test(s) does it fail*

Positively prepared ☐ | Effective ☐

Justified ☒ Consistent with national policy ☒

c) Complies with the Duty to co-operate Yes ☐ No ☐

6. Please give details of why you consider the Submission Version of the Local Plan is not legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments

This representation relates to:

- Paragraphs 5.58-5.71
- Policy P4 Ongar
- Policies Map 5.8
- Site Reference ONG.R1
- Appendix 6 West Ongar Concept Framework Plan
- Settlement Ongar

Introduction:

This representation is made on behalf of the landowners of site ONG.R1, proposed for allocation for residential development of approximately 99 dwellings, in conjunction with site ONG.R2 for approximately 135 dwellings. Representatives of the landowners of both sites meet regularly to discuss joint working and there is an agreed understanding that the combined site will be brought forward promptly, if it is released from the Green Belt. Discussions have been held during the preparation of these representations, to confirm that both parties remain committed to delivering the combined sites and a joint indicative masterplan has been prepared to demonstrate how the combined sites could be delivered.

The landowners support the allocation of the site and confirm that it is available and deliverable. Ongar is a sustainable location for growth of the quantum proposed and the site forms a logical extension.

This representation seeks amendments to policy P4 and the accompanying Appendix 6 'site specific requirements' These relate to the requirement for a single point of vehicular access and the Infrastructure Delivery Plan and detail of some of the specific policy wording.

These representations comprise our full case based on the evidence currently available. However, the appendices to the 2017 Site Selection Report have not been made available for this consultation. We therefore request to reserve our right to make further submissions once these have been published.

Principle:

We support the allocation of site ONG.R1 for residential development of approximately 99 dwellings.

The site is in a sustainable location and is deliverable both alone or in conjunction with the neighbouring site, ONG.R2.

Chipping Ongar is a sustainable location for development, already benefiting from a broad range of services. According to the Settlement Hierarchy at Table 5.1 of the Plan and underpinned by the Settlement Hierarchy Technical Paper 2015, Ongar is categorised as a Town with a good range of services and facilities, including good public transport access.

The site is in a suitable location for development, being on the settlement edge and constituting a logical extension to the existing settlement. The existing site boundary can be enhanced with additional planting to create a new, strong Green Belt boundary. The site is not in agricultural production so development will not result in loss of productive agricultural land. Development of the site would enhance the character of the area; it is currently disused land on an edge of settlement/semi-urban environment, being located adjacent to the A414 between existing development. Access to the site is via the existing access off the A414 within a 30mph zone with adequate visibility.

As set out at paragraph 5.62 of the Plan, development in this location is close to the existing primary school, health facility and new secondary school academy. It is also a reasonable walking distance to other facilities and services in Ongar.

As mentioned above, it is understood that technical site-specific appendices are due to be published but are not currently available. Specifically, Appendices B, C, E and F of the Report on Site Selection December 2017 and we would like to reserve our right to comment further when this information is published.

Notwithstanding our concerns regarding the absence of this information, evidence supporting the allocation of the site is contained in the 2016 site assessment work which fully justifies the allocation.

The proposed density equates to 40 dph which is in accordance with Policy SP3 I (ii) which expects densities of between 30 and 50 dph in areas outside of town centres such as this.

In order to support the delivery of the site a Highway Impact Statement is submitted with this representation. Preliminary ecological and tree survey work has also been undertaken and surveys will be submitted with a hearing statement or outline planning application.

As set out in paragraphs 2.133 to 2.142 of the Plan, it is entirely appropriate to alter the Green Belt boundary in order to release sites for development, and is in accordance with national policy. The NPPF (paragraph 83) states that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a Local Plan. Whilst it is acknowledged that housing need alone does constitute the exceptional circumstances necessary to release Green Belt, housing need combined with local conditions means that it is simply the only option remaining to meet these needs. Insufficient land outside the Green Belt exists to meet the development needs of the district.

The development strategy presented in Policy SP2 maximises opportunities for development around Harlow and also in locations within the existing settlements before considering a limited release of Green Belt land, using a sequential approach. Density has also been maximised in order to limit the extent of Green Belt release.

ONG.R1 is appropriate for Green Belt release; it is in a sustainable location and will help to deliver the housing needs of the district. The evidence base underpinning this is contained in the Epping Green Belt Assessment: Stage 2 2016 August. Sites ONG.R1 and ONG.R2 together comprise parcel 013.3.

The five purposes of including land within Green Belts are set out within paragraph 80 of the NPPF and are reproduced below followed by our comments and the conclusions of the Green Belt Assessment: Stage 2:

1. To check the unrestricted sprawl of large built-up areas

Chipping Ongar cannot be considered to be a large built up area and as such, parcel 013.3 makes no contribution to this purpose. As such, its development will have a nil effect in respect of this purpose of including land in the Green Belt.

2. To prevent neighbouring towns from merging into one another

There are no distinct settlements to the west of Ongar which would merge with the town in the event of the development of this site. The closest settlement of any size to the west of Ongar is North Weald which lies some three to four miles away. Parcel 013.3 lies within the overall envelope of the settlement of Chipping Ongar and therefore development within the parcel would not result in any reduction in the gap between the two towns. Parcel 013.3 was found to make no contribution to this purpose and development of the site will not lead to the coalescence of neighbouring towns.

3. To assist in safeguarding the countryside from encroachment

According to the Green Belt Review Stage 2, parcel 013.3 was found to make a relatively weak contribution to the purpose of safeguarding the countryside from encroachment. Although the topography slopes to the south-west meaning there may be some visibility in the wider countryside, the parcel relates strongly to the settlement and lies within the overall envelope of the settlement, which wraps around the parcel to the north, east and south. This is

considered likely to limit the encroaching influences on the wider countryside of potential new development in the parcel if well-designed. In comparison, two parcels adjacent to Chipping Ongar make a moderate contribution, two parcels a relatively strong contribution and all other parcels adjacent to Ongar making a strong contribution to this purpose. As such, development of the site will have least impact on this purpose of all the Chipping Ongar options. The proposed density of the site is such that it will allow high quality design and incorporate significant landscaping to minimise the impact of development on the surrounding countryside.

4. To preserve the setting and special character of historic towns.

Parcel 013.3 was found to make a relatively strong contribution to the setting and special character of historic towns. The parcel is enclosed by development to the north, east and south, lying between development in the northern part of Chipping Ongar and the 1950s development to the south. There are few views in to the parcel from the historic core due to the parcel's location and surrounding development. However, the parcel does contribute to the openness of the approach to Chipping Ongar from Epping Road to the west and shares a physical connection to the Great Stony School Conservation Area. However, in comparison to the other parcels assessed around Ongar, only parcel 024.2 to the far south west which is remote from services, makes a lesser contribution to this purpose.

5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

As set out in Policy SP2, urban capacity has been prioritised in accordance with the NPPF and Green Belt sites have been proposed for release in addition to urban land.

Overall, the Green Belt Review Stage 2 found that the level of harm resulting from release of the parcel was high. However, only three other parcels scored “high” with release of all other parcels adjacent to Chipping Ongar found to result in “very high” harm to the Green Belt.

Given the above, the development of this site would be the least harmful option for Ongar and development of this site would not conflict with the purposes of including land within Green Belts.

Availability and Achievability:

The landowners of site ONG.R1 have expressed the intention to sell once outline planning consent is secured, have the resources to fund this application and have appointed professional advisors to achieve this.

Technical work has been funded by the landowner to consider any notable physical constraints that might have affected delivery. To date, this comprises highways, arboriculture and ecology work. Further studies may be required at the outline planning stage. The landowners have the resources to fully fund an outline planning application at the appropriate time and the delivery rate for the site, in conjunction with ONG.R2, are achievable. The sites would contribute to the five-year housing land supply.

In regard to achievability, Sworders have extensive experience in the marketing and sale of greenfield residential development sites throughout Essex and Hertfordshire, as well as further afield in the wider region and the Midlands. We have no doubt that the sites are viable in the current market and would attract high levels of interest from small and medium sized developers.

Infrastructure:

Part D of the policy (Infrastructure Requirements) requires delivery of infrastructure at a rate and scale to meet the needs that arise from the new development and accordance with the Infrastructure Delivery Plan (IDP). This lists highways, utilities and open space improvements/upgrades, requiring development in the settlements under this policy to contribute proportionately towards them. Part E states that planning applications will only be permitted where they contribute towards the infrastructure items set out in the IDP or discussions with providers determine these items are no longer required.

We raise no objection to the requirement to ensure appropriate infrastructure accompanies development and the infrastructure requirements as outlined within the Infrastructure Delivery Plan will not affect the deliverability of the site.

In the absence of a Community Infrastructure Levy, infrastructure contributions will be via planning obligations, as such must meet the tests set out in the NPPF (paragraphs 203 and 204) and Regulation 122 of the Community Infrastructure Levy Regulations. Planning obligations must be “*necessary*”, “*directly related*” and “*fairly and reasonably related in scale and kind*” to the development.

However, the status of the IDP is not clear, nor whether it is intended to be updated prior to the Examination. As such, we object to the requirement to accord with the IDP, and specifically the wording that the Council will “*only permit planning applications that contribute towards the delivery of those items set out above and in the Infrastructure Delivery Plan...*” (my emphasis).

As a matter of principle, non-statutory planning documents such as the IDP, which have not been tested through the Examination process, should not be used to set policies or determine development proposals in the way that Parts E and F require.

The NPPF (paragraph 153) and the National Planning Practice Guidance (NPPG) set out that the detail concerning planned infrastructure provision can be set out in a supporting document, however, the key infrastructure requirements on which delivery of the plan depends should be contained in the Local Plan itself (Paragraph: 018 Reference ID: 12-018-20140306).

We are concerned that the current wording of paragraphs D and E does not accommodate a circumstance where contributions to the items requested at D (i) – (iv) are not required. Specifically, to Ongar, it is not clear which sites will need to contribute to which highways or junction upgrades on the wider highway network, as such seeking contributions on this basis would not satisfy the requisite tests. However, paragraph E of the policy states that planning applications will only be granted if contributions are made to these items.

Furthermore, Part E states that applications which do not accord with the IDP will only be permitted if “*subsequent iterations*” of the IDP or “*discussions with providers determine that these items are no longer required.*” To be sound, we would suggest paragraph E is caveated so as only to require planning obligations that are capable of meeting the tests at NPPF paragraph 204 and within the Community Infrastructure Regulations 2010.

Air Pollution:

We make no objections to the principle of an Air Quality Assessment, should one be necessary, which can be provided at application stage or with the hearing statement, if required.

However, we are concerned that it is not based on robust evidence and as such, object to the provision that it *“will be required”* for all development in Ongar which requires a Transport Statement/Transport Assessment, irrespective of whether it is necessary or not.

Paragraph 4.20 of the Plan advises in relation to Epping Forest *that “concerns exist in relation to both increasing recreational use and air borne pollutants, including from traffic. The latter points to an underlying traffic/ air quality issue as a result of existing substantial baseline traffic flows.”* It goes on to state that *“Standard impact assessments show that the Local Plans being developed within the West Essex/ East Hertfordshire Housing Market Area would not result in any adverse effect due to an expected improvement in air quality through the introduction of new technologies , and contributions to any retardation of that improvement is extremely small”*. The requirement to undertake an air quality assessment is therefore not evidence based and not justified.

Notwithstanding the above, we do not consider that Part G is necessary, since Policy DM22 already requires larger development proposals or those that have the potential to produce air pollution to be required to undertake an Air Quality Assessment. The Part G requirement for this to apply to any development proposals which require a Transport Statement/Transport Assessment slightly conflicts with the wording of DM22 meaning it is unclear to applicants and decision makers when an Air Quality Assessment is required.

According to the NPPF (paragraph 154), only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

We request that Part G of the policy be deleted and policy DM22 is relied upon.

Flood Risk:

We do not consider that Part H of the policy is necessary, since Policy DM15 already requires all development proposals to demonstrate that they avoid and reduce the risk of flooding and any development (other than water compatible uses) within flood risk areas must satisfy the Sequential Test and Exceptions Test.

Furthermore, Part H restricts all development on residential allocations to flood zone 1, making no provision for water compatible uses (such as amenity open space or nature conservation and biodiversity) to be located within flood zones 2 and 3. This is unjustified and conflicts with policy DM15 and the NPPF.

We request that Part H of the policy be deleted and policy DM15 is relied upon.

West Ongar Concept Framework:

We support the principle of delivery of a comprehensive and cohesive scheme for site ONG.R1 and ONG.R2. Representatives of the landowners of both sites meet regularly to discuss joint working and there is an agreed understanding that the combined site will be brought forward promptly, if released from the Green Belt. Discussions have been held during the preparation of these representations, to confirm that both parties remain committed to delivering the combined sites and a joint indicative masterplan has been prepared to demonstrate how the sites could be delivered comprehensively.

However, we have concerns regarding the specific wording of Parts I, J and K of Policy P4 in regard to the West Ongar Concept Framework. This requires sites ONG.R1 and ONG.R2 to be in accordance with a Concept Framework Plan, as defined in Policy SP3.

Regarding Part I, firstly, we object to the wording “*required to be in accordance with*”. As a matter of principle, non-statutory planning documents such as the Concept Framework, which have not been tested through the Examination process, should not be used to set policies or determine development proposals in the way that Part I of the policy requires.

Secondly, Policy SP3 does not define Concept Frameworks; it refers to Strategic Masterplans and development proposals and sets out a list of place shaping principles. According to the NPPF (paragraph 154), only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. Greater clarity is required in order to accord with national policy.

Regarding Parts J and K; these require Concept Frameworks to be undertaken jointly by the applicants and endorsed by the Council prior to the submission of any planning application, however, do not set out what the position would be if agreement cannot be reached or if the Council do not endorse them. Such provisions need to be included to ensure that the policy is flexible to respond to changing circumstances and deliverable in accordance with the NPPF (paragraphs 157 and 182).

Using the example of Warwick District Council, their submitted plan contained a Comprehensive Development of Strategic Sites policy which required either a development brief or a Masterplan to be approved by the Local Planning Authority, before applications for any of the strategic sites could be approved, and that strategic sites in multiple ownerships must come forward under a single planning application.

However, following concerns raised by participants regarding the deliverability of this approach, the Inspector removed the requirement for a Masterplan and amended the development brief policy. Whilst significant sites are still expected to comply with a development brief, a provision has been included to cover the eventuality where, for whatever reason, the development brief is absent. In this instance, a Layout and Design Statement, providing detailed information that would otherwise be included in a development brief, is required to support any planning application. The amended policy and supporting text recognises the fact that some sites are in multiple ownerships and may come forward for development separately.

We request the inclusion of a Part L to cover the eventuality where a Concept Framework has not been agreed. We suggest:

L. Where a Concept Framework is absent, development proposals in relation to sites ONG.R1 and ONG.R2 should comply with the site-specific requirements set out in Appendix 6 and should be accompanied by a Layout and Design Statement to address the place shaping principles as defined in Policy SP3, as appropriate to the scale of development proposed.

Part J of the policy states that the specific requirements of the Concept Framework Plans can be found within Appendix 6. We broadly support the development requirements as set out in this appendix, including the principle of delivery of a comprehensive and cohesive scheme for site ONG.R1 and ONG.R2. However, we object to the requirement to provide a single, shared vehicular access to serve both sites. The specific requirements are discussed below, in the order in which they appear in Appendix 6:

Design:

Sites ONG.R1 and ONG.R2 can be masterplanned and designed in accordance with the place shaping principles in Policy SP3, as appropriate to the scale of development proposed. This will include the mix of homes, key design features, approach to amenity/open space, sensitivity to the adjacent heritage assets and movement strategy. It will also minimise impact on the Green Belt and local landscape, allow for any on-site constraints identified through the detailed survey work (such as flooding or drainage, ecology, trees, contamination etc) safeguard the amenity of adjacent residents, respect the local vernacular, provide adequate parking and turning space for vehicles, encourage walking and cycling, provide the required open space and landscaping and an appropriate density of development.

A Highway Impact Statement is submitted with this representation to demonstrate deliverability and inform the design process. Advice has also been sought from an arborist and an ecologist. The ecologist has advised that the site is not of ecological importance but could have the potential to support protected species. The required protected species surveys will be undertaken during the optimum season and submitted at the hearing statement stage or statement or outline planning application as necessary. The ecologists have identified that if protected species are found and compensatory habitat is required, this can be provided on adjacent land within the same ownership alongside the river.

A joint illustrative masterplan has been prepared with the landowners of site ONG.R2 to demonstrate how the combined sites could be delivered.

However, as set out in our response to Policy P4, greater flexibility is required in relation to the Concept Framework.

Furthermore, we object to the requirement to provide a single, shared vehicular access to serve both sites. Our case in this regard is expanded upon below under “Site-Specific Constraints”.

Trees:

It is acknowledged that there are protected trees both on site and on the periphery/adjacent to the site.

The joint illustrative masterplan submitted with these representations demonstrates how the combined sites can be masterplanned to ensure that the existing trees on site on the boundary/adjacent are retained. The site can be enhanced with additional planting.

A Tree Survey has been undertaken to understand the species, condition and location of all of the trees on and adjacent to site ONG.R1 and their Root Protection Areas.

The Tree Survey will be used to inform the design process and can be submitted with the hearing statement with an indicative layout to demonstrate that all of the protected trees on site are retained and development is outside of the Root Protection Areas.

Landscape Character:

The illustrative masterplan submitted with these representations demonstrates how the combined sites could be delivered in a sensitive way, minimising harm to the wider landscape. This includes strengthening of existing boundaries with new planting of mixed native species and incorporating the existing trees, field patterns and hedgerows. Any planning application will ensure that the

impact on landscape will be minimised through detailed sensitive design, layout, materials and external finishes.

Heritage:

Appendix 6 states that the eastern part of the site could have an impact on the setting of the Grade II listed Bowes Farm Lodge and outbuilding and locally listed Bowes House and Great Stony Conservation Area. It is, however, functionally separate from the Conservation Area. Whilst heritage is an important consideration, it is considered that sensitivity to the heritage assets can be adequately incorporated in an appropriately designed scheme and will not constrain development of the site.

The illustrative masterplan submitted with these representations demonstrates how this could be achieved with public open space, incorporating the existing trees, fronting the Conservation Area and providing a buffer around the listed buildings.

On-Site Constraints:

Appendix 6 includes a requirement that vehicular access *“must be limited to a single access point for the two sites”*. We object to this provision, and specifically the use of the word “must”; it is not underpinned by robust evidence, is not justified and is unnecessary. We also have concerns that it could constrain the rate of delivery of the sites. Appendix 6 goes on to state that the Council’s *“preference”* is for the access to be from the High Street, but to explore opportunities to access from the A414 if the High Street access is not *“possible”*. We object to the A414 access being considered only if the High Street access is not *“possible”* as this is insufficiently flexible and does not allow each part of the site to be served by its own access.

The NPPF (paragraph 158) requires the Local Plan to be based on *“adequate, up-to-date and relevant evidence”*. However, no evidence is presented to demonstrate why a single access is required nor why the High Street is preferred. It is unnecessary and inappropriate to prescribe the access details in this way without providing justification and this matter would be more appropriately determined at outline planning application stage.

The landowners of ONG.R1 and ONG.R2 are able to demonstrate through their own evidence that access from both the High Street and A414 is safe, suitable and deliverable.

A Highway Impact Statement is submitted with these representations. This demonstrates that site ONG.R1 can be safely and suitably accessed from the A414. The A414 is approximately 9 metres wide subject to a 30mph limit along the frontage of site ONG.R1. Although it is a classified A road, it does not form part of the Trunk Road network that is governed by Highways England. As such, access should be provided in line with the principles of Manual for Streets and not the Design Manual for Roads and Bridges.

The Highway Impact Statement presents three suitable access solutions. Options 1 and 2 are simple T-junction accesses with ghost islands and pedestrian refugees. The existing bus laybys would be stopped up and replaced by a footway and bus bay within the carriageway, in line with current best practice. The effect of the bus bays and pedestrian refuges should serve to significantly reduce overall vehicle speeds passing through this section of the A414. The third access option is a new roundabout. The layout shown includes footways and crossings at three of the arms and as with Options 1 and 2, the bus laybys would be replaced by bus bays in each direction. This option would offer very clear and significant benefits to the pattern of traffic flow using the A414 within the site frontage by acting as a major speed restriction.

The current layout of the A414 (primarily one-sided with development only at the northern edge) is likely to lead to vehicle speeds that exceed the posted 30 mph speed limit and subsequent highway safety implications for turning manoeuvres and other non-motorised users. Research has shown how the presence of activity at both sides of the carriageway should make drivers more alert to potential conflict points and therefore helps to reduce speeds. The presence of any development along the southern edge of the A414, with any corresponding access strategy, should provide substantial benefits to other users of the highway network in this area.

The council have presented no evidence or justification as to why access from the A414 is not preferred. Indeed, the provision to explore access from the A414 should access from the High Street not be possible implies that there is no technical reason why the Council consider access cannot be gained from the A414.

It is understood from conversations with the Council that this preference may be based on verbal comments made by Essex County Council through workshops. However, as far as we are aware, this is not presented in the evidence base. Conversely, the landowner does have evidence that an access onto the A414 would not only be safe and suitable but it would in fact bring highway benefits in reducing traffic speeds in this area. As such, there is no justification to discount access in this location.

It may also be possible that the requirement for a single access is to prevent traffic passing through the site to avoid the Four Wantz roundabout. If this is the case then it can be adequately addressed through ensuring that the two site accesses are not linked. The indicative masterplan submitted with the representations demonstrates how sites ONG.R1 and ONG.R2 can be designed so as to be fully permeable to foot and cycle traffic but vehicular traffic cannot travel from the High Street to the A414 through the site.

It is understood that the technical site-specific appendices are not currently available which may provide clarity on the reason for the single access requirement. We would like to reserve our right to comment further on this issue when this information is published.

It is inappropriate to limit exploration of access from the A414 location only if access from the High Street is not "*possible*". It is not clear what the policy test of "*possible*" is; and it is unclear why the A414 access will only be acceptable in this instance. This provision is not clear and therefore contrary to the NPPF (paragraph 154).

Furthermore, the restriction to a single access could delay delivery. With two accesses, the sites could be developed simultaneously, whereas with a single access at the High Street, the west of the site is unlikely to start delivering until the east of the site is completed or vice versa.

The housing trajectory contained in appendix B of the Infrastructure Delivery Plan envisages each site delivering from 2021/22 at a rate of between 15 and 30 dwellings per annum. These delivery rates are realistic for the two sites if each is to be delivered by a separate housebuilder, however, delivery rates are likely to be lower if access restricts the site to a single housebuilder.

Each site is able to provide its own safe and suitable access and the option of delivery of two accesses should not be prevented. We request that this requirement is deleted from Appendix 6 and that the appropriate location and number of accesses be determined through the Concept Framework or planning application, based on robust evidence presented at that time.

Infrastructure:

Appendix 6 requires a “*movement strategy*” for sites ONG.R1, ONG.R2 and ONG.R4 to address highways and active travel requirements. As set out above, the landowners of sites ONG.R1 and ONG.R2 are committed to delivering the combined sites and a joint illustrative masterplan has been prepared, which demonstrates how the combined sites could be delivered, including pedestrian and cycle permeability across the sites. Both landowners have also commenced discussions with the promoters of site ONG.R4 regarding the principle of the movement strategy. There is an agreed understanding to work collaboratively and proactively to deliver the infrastructure necessary to make the development acceptable in planning terms.

However, our support for this is subject to the requirements listed (and in particular the upgrades to the Four Wantz roundabout) satisfy the tests of planning obligations as set out in the NPPF (paragraphs 203 and 204) and Regulation 122 of the Community Infrastructure Levy Regulations.

We are particularly concerned that the costs are to be shared by the promoters of site ONG.R1, ONG.R2 and ONG.R4 with “*appropriate measures put in place to equalise the contributions*”. However, it is important to note that upgrades to this roundabout, and the pedestrian and cycle network, are likely to benefit other developments in and around Ongar and in order to comply with the NPPF and CIL Regulations, all developments should make proportionate contributions.

Green Belt Boundary:

According to the Epping Green Belt Assessment: Stage 2 2016 August, sites ONG.R1 and ONG.R2 together comprise parcel 013.3. Section 4 of this assessment summarises the study findings, listing contribution against Green Belt purposes and level of harm for each land parcel as a whole.

Whilst the summary suggests that release of parcel 013.3 would have a high level of harm, the detailed assessment suggests that this is primarily as a result of the relatively strong contribution it makes to the 4th Green Belt purpose, common to all sites adjacent to Ongar.

The new Green Belt boundary, which would be created through allocation of this site, would form a strong and defensible Green Belt boundary, linking development in the historic town centre with that to the north of Ongar. The existing site boundary can be enhanced with additional planting to create a new, strong Green Belt boundary. This would use physical features to result in a readily recognisable, permanent boundary, capable of enduring beyond the plan period, in accordance with paragraphs 83 and 85 of the NPPF.

The joint illustrative masterplan accompanying these representations demonstrates how a strong and defensible boundary can be created, through reinforcement of the existing tree and hedge line along the boundary of the site.

Attachments:

- Highway Impact Statement
- West Ongar Illustrative Masterplan

(continue on a separate sheet if necessary)

7. Please set out what changes(s) you consider necessary to make the Submission Version of the Local Plan legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with National Policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- We request that Part D, the words *“in accordance with”* are replaced with *“have regard to”* the IDP. **Reason:** To be **consistent with national** policy at NPPF paragraph 154.
- Amend Parts D (i) to (iv) to clearly state which development sites are being expected to contribute to which infrastructure items and how any potential apportionment of costs will be calculated. **Reason:** To be **consistent with national policy** at NPPF paragraph 204 and 154.
- Amend Part E to read *“Planning applications will be expected to contribute positively towards the delivery of the infrastructure items listed above and in the Infrastructure Delivery Plan, unless subsequent iterations of the Infrastructure Delivery Plan determine that these items are no longer required or those items do not meet the tests of planning obligations set out in the NPPF or legal tests in the CIL Regulations.”* **Reason:** To be **consistent with national policy** at NPPF paragraphs 154, 158 and 204.
- We request that the IDP is revised prior to the examination, so that it is explicit which development sites are expected to contribute to which infrastructure items and how any potential apportionment of costs will be calculated. **Reason:** To be **consistent with national** policy at NPPF paragraphs 204 and 154.
- Delete Part G of the policy and policy DM22 be relied upon. **Reason:** To be **consistent with national** policy at NPPF paragraph 154.
- Delete Part H of the policy and policy DM15 be relied upon. **Reason:** To be **consistent with national** policy at NPPF paragraph 154.
- Amend Part I to replace *“will be required to be in accordance with...”* with *“should have regard to...”*
Insert a new Part L as follows:
L. Where a Concept Framework is absent, development proposals in relation to sites ONG.R1 and ONG.R2 should comply with the site-specific requirements set out in Appendix 6 and should be accompanied by a Layout and Design Statement to address the place shaping principles as defined in Policy SP3, as appropriate to the scale of development proposed.
Reason: To be **consistent with national** policy at NPPF paragraphs 154 and 157.
- Delete the reference in Appendix 6 to a single point of access. **Reason:** To be **consistent with national** policy at NPPF paragraph 158.

(continue on a separate sheet if necessary)

8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the hearings

☒

Yes, I wish to participate at the hearings

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9. If you wish to participate at the hearings, please outline why you consider this to be necessary:

This relates to a significant issue which would be most appropriately discussed at the oral hearing and cannot be dealt with satisfactorily through written representations alone.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please let us know if you wish to be notified when the Epping Forest District Local Plan is submitted for independent examination (Please tick)

☒ Yes

☐ No

11. Have you attached any documents with this representation?

☒ Yes

☐ No

Signature:

.....Redacted.....

Date:

29-01-2018

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