

**HEARING STATEMENT**  
**LAND AT MILL LANE, HIGH ONGAR**  
**19LAD0011 ONGAR PROPERITES LIMITED**  
**MATTER 15: Issue 2 and Policy P12**

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## 1.0 Background

1.1 Ongar Properties Limited is a supporter of the Local Plan. In particular it supports the proposed allocation of the land at Mill Lane, High Ongar, for housing development, (site HONG.R1) as described in policy P.12.

1.2 Our participation at the hearing is in relation to MATTER 15, Issue 2. The relevant questions are, in general: -

***Are the Plan's policies for the specific places and sites within the District justified, effective and consistent with national policy; and are the specific site allocations they include justified and deliverable?***

1.3 More specifically in relation to policy P12 the inspector asks: -

***What effect would the development of the [site] have on the purposes of the Green Belt?***

1.4 I am a Chartered Town Planner of 35 years' experience, for the last 25 years or so mainly dealing with development projects in Essex, especially in Epping Forest District. I have assisted with the preparation of two planning applications for this site. In this statement I elaborate on my previous statement in support of the allocation of the land for housing and seek to deal with some of the points raised in objections.

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## 2.0 Contributions to Sustainability

2.1 "The purpose of the planning system is to contribute to the achievement of sustainable development"<sup>1</sup>.

2.2 One of the NPPF's core planning principles is to support thriving rural communities in the Green Belt<sup>2</sup>.

2.3 It also states:-

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."<sup>3</sup>

2.4 Planning Practice Guidance (Rural Housing) speaks of "the role of housing in supporting the broader sustainability of villages and smaller settlements"<sup>4</sup>.

2.5 It also states: -

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<sup>1</sup> NPPF (2012), paragraph 6.

<sup>2</sup> NPPF (2012), paragraph 17.

<sup>3</sup> NPPF (2012), paragraph 55.

<sup>4</sup> PPG Paragraph: 001 Reference ID: 50-001-20160519

“A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.”<sup>5</sup>

2.6 High Ongar is a medium-sized village located 1.5 km north-east of Chipping Ongar, 13 km west of Chelmsford and 10 km north-west of Brentwood. It has developed in two main areas: a northern section focussed on The Street and its junction with the northern end of Mill Lane; and a southern section at Millfield, to the west of Mill Lane. The dividing line between the two is a brook, which crosses Mill Lane at Clatterford Bridge some 250m north of site HONG.R1 and which drains into the River Roding about 0.5km west of Mill Lane.

2.7 High Ongar contains the following services and facilities: -

- High Ongar Primary School.
- High Ongar Post Office and Shop, 50 The Street, High Ongar CM5 9NE.
- Forrester's Arms, The Street, Ongar CM5 9NH (Pub/Restaurant).
- St Mary's Church.
- High Ongar Village Hall, Mill Lane, High Ongar CM5 9RL.

2.8 The School is in The Street, just west of its junction with Mill Lane. There is a footpath from Millfield to the School along the western side of Mill Lane. It is a roughly 500m walk to the School from the allocated site. This is well below the 'Statutory Walking Distance' of 2 miles for children under 8<sup>6</sup>. The School roll is currently 147 and the school accepts 20 pupils per year. After 'looked-after children' and siblings, children living in the School's 'Priority Admissions Area' have priority<sup>7</sup>. According to the search facility on the education authority's website the property to the south of the site with the postcode CM5 9RQ is in the Priority Admissions Area for the School. I therefore assume that would be the case for any dwellings built on the allocated site.

2.9 High Ongar Village Hall was built in 2007/8 and a wide range of clubs and societies operate from there. It is on the eastern side of Mill Lane about a 120m walk from the allocated site. Adjacent to the Hall is an area of open space.

2.10 High Ongar is well endowed with local community services and facilities for a village of its size. The building of new houses on the allocated site would help maintain or enhance the vitality of the community in accordance with NPPF paragraph 55.

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<sup>5</sup> Ibid.

<sup>6</sup> Section 444(5) of the Education Act 1996

<sup>7</sup> High Ongar Primary School Prospectus, 2018, p.17

2.11 The availability and accessibility and of the services and facilities cited above within a short walking distance of site HONG.R1 is one important element of sustainability, especially in contributing to the achievement of the 'social role' of sustainability.<sup>8</sup>

### *Transport*

2.12 "The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas<sup>9</sup>.

2.13 This advice is repeated in Planning Practice Guidance: -

"The National Planning Policy Framework also recognises that different sustainable transport policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas."<sup>10</sup>

2.14 Site HONG.R1 is not isolated, nor is it remote. Many day to day needs can be satisfied locally or in Chipping Ongar (2km to the west). Although it is located in the more rural, eastern part of the District, it is centrally located in south Essex and it is normally only about a 20 minute drive to Chelmsford and Brentwood main line stations and Epping LUL station. The provision of electric vehicle charging points within the development, to accord with draft policy T1, would help achieve the Government's targets for cleaner road transport<sup>11</sup>.

2.15 There are eastbound and westbound bus stops in The Street, about 500m walk from site HONG.R1. The no.32 bus links to the west with Chipping Ongar and to the east with Chelmsford Bus Station. There are 7 services per day, from Monday to Friday, departing eastbound at 0727, 0738, 1003, 1203, 1403, 1713 & 1848 and westbound at 0709, 0949, 1149, 1349, 1656, 1656 & 1835. There are also 6 services on a Saturday: at 0738, 1003, 1203, 1403, 1603 & 1846 (eastbound) and 0709, 0949, 1149, 1349, 1549 and 1832 (westbound)<sup>12</sup>.

2.16 Chipping Ongar contains a Sainsbury's supermarket, a large medical centre, the Ongar Academy, Ongar Leisure Centre, Ongar Library and a wide range of other shops, services and businesses. The City of Chelmsford is of regional significance in retail, employment, transportation and leisure terms.

2.17 Service nos. 434, 474 & 689 provide buses to schools in Brentwood and Loughton during term time.

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<sup>8</sup> NPPF (2012), paragraph 7.

<sup>9</sup> NPPF (2012), paragraph 29.

<sup>10</sup> PPG Paragraph: 001 Reference ID: 50-001-20160519.

<sup>11</sup> The Road to Zero, Department for Transport (2018)

<sup>12</sup> See <https://www.firstgroup.com/essex>

## *Natural Environment*

2.18 The Government's policy objectives for the conservation and enhancement of the natural environment are set out in Section 11 of the NPPF (2012).

2.19 These include:-

- Minimising impacts on biodiversity and providing net gains in biodiversity where possible<sup>13</sup>.
- Allocating land with the least environmental or amenity value, where consistent with other policies of the NPPF<sup>14</sup>.
- Protecting the best and most versatile agricultural land<sup>15</sup>.
- Protecting ancient woodland and preventing the loss of aged or veteran trees<sup>16</sup>.

2.20 Minimising impacts on biodiversity and providing net gains in biodiversity would be achieved at this site by:-

- The protection of existing lengths of hedgerow and the planting of new native species hedging at the site.
- The implementation of a biodiversity enhancement scheme including the provision of bird and bat boxes.
- The implementation of a bat friendly lighting scheme.

2.21 The LPA's expert ecologist was consulted on application reference EPF/1718/18 for housing development on the site and did not object, subject to compliance with conditions requiring the achievement of the above<sup>17</sup>.

2.22 The LPA's expert and very experienced tree officer was also consulted on earlier development proposals for the site and required changes to ensure that the TPO'd and veteran trees at the site would be adequately protected. Subsequently she did not object subject to the imposition of conditions<sup>18</sup>.

2.23 The south eastern corner of the site is about 190m from the nearest part of the Westlands Spring/Thistlelands Spring Local Wildlife Site<sup>19</sup>. This is a linear ancient wood, which extends eastwards from close to the eastern edge of Mill Lane for about 620m. I do not consider that the development of the site would have any harmful impact on this LWS that could not be mitigated by design or appropriate conditions.

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<sup>13</sup> NPPF (2012), paragraph 109.

<sup>14</sup> NPPF (2012) paragraph 110.

<sup>15</sup> NPPF (2012) paragraph 112.

<sup>16</sup> NPPF (2012) paragraph 118.

<sup>17</sup> Application EPF/1718/18 documents viewable at

<http://plan1.eppingforestdc.gov.uk/Northgate/PlanningExplorer/GeneralSearch.aspx>

<sup>18</sup> Ibid.

<sup>19</sup> See LWS Ep198 at EB708

2.24 The site has not been in active agricultural use in recent memory and is probably too small for a viable holding now, and too small to make any meaningful contribution to a larger agricultural holding.

#### *Historic Environment*

2.25 As part of the preparation of the Local Plan the Council is required to identify land where development would be inappropriate because of its historic significance<sup>20</sup>.

2.26 The northern edge of the allocated site is about 500m walk from the southern edge of the High Ongar Conservation Area. This is a relatively small conservation area focussed on St Mary's Church and about a dozen or so listed buildings in The Street. The southern boundary of the conservation area matches the southern curtilages of the properties fronting the southern side of The Street, but also extends a little way south into Mill Lane as far as no.6 Mill Lane.

2.27 The allocated site lies within the 1km buffer of the conservation area as defined in the Council's site selection reports<sup>21</sup>. Therefore it was required to undergo a further 'qualitative assessment' by the Council's heritage officer.

2.28 Abutting the southern edge of the conservation area is the relatively modern Mill Grove housing estate on the site of the former Brace's Timber Yard, where 25 houses and a new village hall were built pursuant to a planning permission granted in 2002 (reference EPF/0985/00).

2.29 The most prominent building in the conservation area is St Mary's Church and this is just visible from the Millfield frontage of the allocated site across the gardens and rooftops of the intervening houses in Millfield and Mill Lane. However a well-designed development in keeping with the local vernacular character and appearance would leave the conservation area completely unharmed.

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### 3.0 Deliverability

3.1 There are three main aspects to this: availability; suitability; and achievability/viability<sup>22</sup>.

#### *Availability*

3.2 The site is under option to Ongar Properties Limited which in turn has signed a conditional contract with a local developer.

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<sup>20</sup> NPPF (2012) paragraph 157

<sup>21</sup> See Report on Site Selection at EB801F, page B91.

<sup>22</sup> NPPF (2012) paragraph 47, footnote 11.

3.3 A March 2017 planning application for 8 x 3 bedroom houses was withdrawn, but a subsequent July 2018 application of the same description was written up by officers with a recommendation for approval subject to conditions and a Section 106 Agreement. It appeared on the agenda for the Council's Area Plans Sub-Committee 'East' on Wednesday 6 March 2019. However a decision was deferred pending the outcome of this examination.

#### *Suitability*

3.4 The site is surrounded by existing development. There are detached houses to the south, mainly terraced and semi-detached houses to the west, semi-detached houses to the north (beyond Millfield) and adjoining roads to the east and north (Mill Lane and Millfield). The adjacent buildings are residential in use and character and an appropriately designed development would be in keeping with them.

3.5 The site is level and not prominent. The retention of existing vegetation would provide some continuity and a softening effect to help mitigate the impact of new buildings, although careful choice of materials would help a development to blend in with its rural surroundings.

3.6 As described earlier in this statement, the site occupies a suitably sustainable location, and the intended development would be sustainable in environmental and social terms. There would be no harmful heritage impact.

#### *Achievability/Viability*

3.7 In connection with the past use of the site for the grazing of horses the present owner has habitually taken access to the site direct from Millfields.

3.8 The title deeds do not refer to a right of way across this verge into the site, but as the verge is owned by the District Council, which is committed to proposal HONG.R1, any payment required in order to ensure the access can be built would clearly not be set at a level to make the development of the site unviable.

3.9 Details of the design of a proposed access into the site to serve a residential development were submitted with application EPF/1718/18 and the highway authority did not object to this subject to conditions<sup>23</sup>.

3.10 There is a combined mains sewer which crosses the site and which is available to serve a housing development. As far as we are aware this has sufficient capacity to accommodate the likely outfall from the development. If not, an alternative solution will be implemented.

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<sup>23</sup> Application EPF/1718/18 documents viewable at <http://plan1.eppingforestdc.gov.uk/Northgate/PlanningExplorer/GeneralSearch.aspx>

#### 4.0 Effect on the Purposes of the Green Belt

4.1 I have assessed the proposed allocation against the five purposes of the Green Belt<sup>24</sup>.

##### *To Check the Unrestricted Sprawl of Large Built-Up Areas*

4.2 High Ongar could not reasonably be regarded as a large built-up area. Even so, the proposed allocation would not result in 'unrestricted sprawl' but a modest and proportionate enlargement within the limits of firm physical boundaries (existing fences, hedgerows or trees on four sides and roads on two sides).

##### *To Prevent Neighbouring Towns Merging Into One Another*

4.3 High Ongar is not a 'town'. The proposed allocation is on the eastern side of the village and there is no other 'town' on its eastern side for many miles (the nearest larger settlement that could be called a town would probably be Ingatestone, which is about 9kms to the south-east). The development would only bring the development boundary up to the western side of Mill Lane, which already forms the eastern boundary of development to the south and north of the site.

##### *To Preserve the Setting and Special Character of Historic Towns*

4.4 Unlike Chipping Ongar, High Ongar is not an historic town. To the west of High Ongar open farmland falls gently away to the River Roding and then rises to the east of Chipping Ongar. The surviving earthworks of the Anglo-Saxon motte and bailey castle are prominent in this landscape on the eastern side of Chipping Ongar. Development on the west of High Ongar would harm this purpose.

4.5 However the proposed allocation is on the eastern side of High Ongar on land which is at roughly the same level as the existing housing of the Millfields estate to its west. Therefore provided development were kept to no higher than two storeys there would be no undermining of the important gap west of the village and of the historic setting of Chipping Ongar.

##### *To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and Other Urban Land.*

4.6 This must be based on a strategic assessment of whether the Local Plan has demonstrably made best use of the opportunities for redeveloping derelict and other urban land and is therefore beyond the scope of this statement.

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<sup>24</sup> NPPF (2012) paragraph 80.



*To Assist in Safeguarding the Countryside from Encroachment.*

4.7 The Council's Stage 1 Green Belt Assessment identified land 'North East of High Ongar' as one of only 18 land parcels which were not considered to make any contribution to any purpose of the Green Belt other than purpose 3 'to assist in safeguarding the countryside from encroachment'<sup>25</sup>.

4.8 The Stage 2 Assessment categorised the impact on this purpose as 'Strong'<sup>26</sup>.

4.9 However, although the parcel in question (023.4) included the land now allocated at HONG.R1, it also included a much larger area of land to the east of Mill Lane and south of Nash Hall. The aggregate area was stated to be 13.72ha. The written assessment must be considered in that context.

4.10 It stated: -

"The northern part of the parcel contains open green space and a church. The southern part of the parcel contain[s] agricultural/industrial buildings associated with Nash Hall and part of an open agricultural field. The parcel is rural in character and the existing Green Belt boundaries with the settlement of High Ongar are well-defined, creating a strong distinction between town and countryside. The southern parcel boundary is poorly defined by a footpath (no other stronger boundaries exist nearby that are within the area of search). Therefore the Green Belt designation within the parcel is considered to safeguard the countryside from encroachment"<sup>27</sup>.

4.11 The description of the parcel in the first sentence does not appear to include the land west of Mill Lane. The weakness of the 'southern parcel boundary' which is 'defined by a footpath' is not relevant to the land west of Mill Lane.

4.12 I accept that the site is, at present, countryside and that the effect of the allocation would be that development would encroach upon it, but the particular shape and setting of the site and the firmness of its physical boundaries, particularly Mill Lane and Millfields, lead me to conclude that the effect on this purpose of the Green Belt would be less than 'Strong'.

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## 5.0 Conclusion

5.1 The proposed site allocation HONG.R1 is consistent with national policy, justified and deliverable and housing development there would have a limited impact on the purposes of the Green Belt.

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<sup>25</sup> EB704A Green Belt Review Stage 1, September 2015, page 35.

<sup>26</sup> EB705B Green Belt Review Stage 2, August 2016, page 245.

<sup>27</sup> Ibid.