



Phase 2

EPPING FOREST DISTRICT COUNCIL: Examination of the District Local Plan 2011 – 2033

Examination Statement:

MATTER 15: Places and Sites Policy P4: Ongar

On Behalf of

Bloor Homes Ltd

April 2019

Our Ref: C16133

Phase 2 PLANNING & DEVELOPMENT LIMITED

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1. Introduction

- 1.1 The following Examination Written Statement has been prepared on behalf of Bloor Homes Ltd, who has land interests to the north east of the settlement of Ongar (Site ref SR-0051), and has made representations to the Submission draft of the Local Plan, promoting the land for housing, possibly as a first phase of a wider development to achieve a bypass for the town and other benefits.
- 1.2 As requested, this Statement does not duplicate those representations, but addresses where relevant the issues raised by the Inspector in her Matters, Issues and Questions relating to Matter 15, Places and Sites, specifically relating to Policy P4 Ongar, within the context of the 2012 Framework, which given the submission date of the Plan will be used as the basis for assessment.
- 1.3 It will use the same issue headings set by the Inspector, as follows.

Issue 1: Are Policies P1-P15 justified, effective and consistent with national policy?

1.4 It is important to establish the context for our following response to Policy P4 as it relates to Ongar. The Inspector will recall that in addition to written submissions to the MIQs, we have also made the following points at the Hearing sessions:

- Unrealistic timescales for delivery and capacity of many sites, meaning that there will be under delivery both in the Plan period and significantly in the first 5 years;
- There is a contradiction in Ongar between the alleged high scoring purpose 4 (setting of historic settlements) in the Green Belt evidence base that has been carried forward into the individual site assessments, that is not reflected in other key documents, including the ECC Historic Sites SPG or the Ongar Conservation Area Appraisal. The latter defines the Conservation Area tightly around the castle and existing development on the eastern side of the town, unlike to the west where the Conservation Area includes open land. There is no additional Heritage Assessment within the Council's evidence base that supports the Green Belt assessments or the site selection methodology, yet the first clearly heavily influences the second;
- There is recognition by the Council's own consultants that reserve or safeguarded land ought to be considered/included given the advice of the Framework on timescales for Green Belt review.

1.5 These concerns are reflected in the concerns of the Ongar Neighbourhood Plan Community Group (ONPCG), who are drafting their Neighbourhood Plan, and the Inspector should as a starting point in assessing relevant issues in Ongar review the representations made by them at Reg 19 stage, as it helpfully sets the scene for issues, constraints and opportunities within Ongar, including a background of Ongar and its constituent parts. In particular on page 2 they conclude that the discrepancies in the Evidence Base have led to an inconsistent and incorrect assessment of both allocated and rejected sites.

1.6 With regard to the eastern side of the town, they note that the Council's approach penalises any site near heritage assets without further investigation about whether there might be an opportunity to enhance rather than harm the significance of the heritage asset, and they note that some sites should have gone through further assessment at a detailed level.

1.7 We note with concern that there was an apparent lack of involvement/consultation with the ONPCG, including the late introduction of new sites which they say were imposed with no consultation, and which they further comment brings into question the legal compliance of the Local Plan.

- 1.8 The Inspector should also be aware that although the ONPCG acknowledge that the NP is behind the process of the Local Plan, they make clear that the emerging vision for Ongar is at odds with the approach of EFDC. In particular, the ONPCG accept that there will be housing needs that need to be met in Ongar, and that this will involve the loss of Green Belt land; they have concerns over the merging of Shelley and Ongar; and are concerned at the lack of justification for rejecting sites on the eastern side of the town.
- 1.9 In particular, they are concerned that none of the sites chosen will be able to accommodate the community amenities and open space that Ongar needs as listed in the Infrastructure Delivery Schedule. Table 8.18 of the IDP Part B Report (EB1101B) shows the Infrastructure Delivery Schedule for Ongar, the majority of which are listed as essential and one critical, all of which are heavily reliant on developer contributions. No explanation has been given by the Council on how 8 fairly small dispersed allocations will assist in securing these benefits, and the ONPCG have raised the same concerns.
- 1.10 Although the Inspector has raised specific concerns on infrastructure within the first 7 points in the MIQs under this issue, there are wider concerns that will no doubt be expanded upon by the ONPCG. From our perspective, the strategy of the Local Plan in terms of housing provision for Ongar is therefore unsound in that the housing allocation strategy for Ongar is not aligned with the key infrastructure requirements of the town, and the opportunities from securing this from alternative sites such as our clients has not been considered as part of the site selection process.
- 1.11 Of particular relevance the Inspector will note from paras 74 and 87 that the ONPCG are concerned that EFDC have not considered the significant benefits of sites on the eastern side of Ongar, and state that these should be explored properly, particularly in terms of the more significant infrastructure benefits that can accrue from a larger allocation with a critical mass that would ensure infrastructure requirements can be viably delivered, which cannot be said of the proposed allocations. Again we endorse these points.
- 1.12 As a consequence the ONPCG conclude that the Council's proposed allocations within Ongar are not justified, as they do not take into account and weigh properly the reasonable alternatives, based on proportionate evidence. We endorse this view.

Issue 2: 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?

- 1.13 The Inspector will recall that our Reg 19 representations included a table commenting on each of the 8 proposed allocations. The following updates these comments in light of the Inspector Site Specific Matters within the MIQs.

Site/s	Comments
ONG.R1 & R2	<p>In addition to the access constraints we have raised previously and highlighted by the Inspector, in respect of P4 Matter 8, we note that the ARUP site assessment in both 2016 and 2018 state that the level of harm to the Green Belt is noted as high or very high, presumably on coalescence grounds although the assessment does not state this, and that the site would involve a significant character change to landscape. However, in relation to heritage assets it notes that the scheme would have impact on the conservation area at Great Stony Park, and to listed buildings. It states that these can be mitigated, although no site appraisal is provided to evidence this finding to justify a neutral score, although it mentions screening and sensitive layout but without offering any evidence of how these will achieve the resolution of the concerns.</p> <p>In any case, in addition to the above, the location of the site adjacent to the A414 in terms of noise and air quality, coupled with the potential need to retain open land along the northern boundary to address coalescence, will mean that density will be low, particularly since the Council have erroneously calculated the density on a gross basis (eg R2 is shown as 100 dwellings on the Site Suitability Assessment and gross site area of 3.34ha, based 30dph). All of these factors will limit the number of dwellings to 20dph or less, on a net basis excluding any buffer land. We consider that this could lead to a reduction in site capacity to around 60 units, assuming 10% reduction in site area due to buffer.</p> <p>It is noted that in both the 2016 and 2018 assessments that the site is scored as a single negative, stating that this is given as the majority of the site is greenfield despite the next column noting that the site is 100% greenfield. Other greenfield sites were given a double negative score.</p>
ONG.R3	No further comments although suggested density at 34dph is too high.
ONG.R4	This site has a number of the same issues as R1 and R2 in terms of relationship with the A414 in addition to our concerns raised at Reg 19 stage.
ONG.R5	This site is identified as having a high or very high level of harm to the Green Belt, and significant landscape character change, aside from an odd scoring on greenfield as above.
ONG.R6, R7 and R8	The Submission Draft Local Plan recognises that sites to the south are a greater distance from existing town centre amenities, public transport and community facilities. In addition, both land to the east and to the south of the town were rejected in the Green Belt assessments, noted in the reg 18 Plan, as they would 'significantly harm the Green Belt...and are more sensitive in landscape terms'.

	Given our comments on other sites highlighted above, this is a consideration that applies not only to sites to the south, but also other proposed allocated sites.
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- 1.14 As a consequence of the above, it is clear that the piecemeal allocation of the 8 sites within Ongar not only conflicts with the emerging strategy of the Neighbourhood Plan in terms of the need to plan comprehensively to ensure community infrastructure and benefits are maximised, but also conflicts with the Framework in the application of Green Belt policy and the correct approach to assessing heritage constraints and opportunities. Notwithstanding this, the delivery assumed from each site is optimistic given the constraints highlighted above, including access, noise, air quality, listed buildings etc.
- 1.15 Whilst it is acknowledged the Neighbourhood Plan has not yet been adopted, this is not reason to reject their emerging approach to planning and new development within Ongar, particularly given the alleged lack of consultation and co-operation with the Reg 19 Plan.
- 1.16 In addition, the site selection methodology that has led to the proposed allocation of these sites, and rejected reasonable alternatives that would provide more significant benefits is flawed, and has not weighted benefits and constraints on a proportionate and equitable basis. As set out above, there is enough in the representations of the ONPCG representing the local community to show that there is a level of support for a different approach, but which has not been explored by EFDC through consultation.
- 1.17 The strategy of the Local Plan in terms of housing provision for Ongar is therefore unsound in at least that it is not justified in taking into account reasonable alternatives based on proportionate evidence; is not effective in that it has unrealistic housing delivery expectations both for the District and Ongar in particular; and is not consistent with Government policy in relation to the application of Green Belt policy.
- 1.18 We acknowledge that it is not the responsibility of the Inspector to allocate additional sites, a point already made at the Hearings. However, notwithstanding our concerns with the overall strategy of the Local Plan, in relation to Ongar there is clear justification for the Inspector to find that the Local Plan strategy is flawed, and that the Council should amend or delete the proposed allocations and investigate allocating additional land that assists the town in meeting its aspirations for new and improved infrastructure.
- 1.19 The changes we would request are made to the draft Local Plan are as set out in our original representations to the Submitted Plan.



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