

# Epping Forest District Council

## Ongar Neighbourhood Plan

### Regulation 16 Publication response form

This form may be photocopied or downloaded from the website. Further printed copies can also be obtained from the Council. **Please return by 4pm on Thursday 23rd December 2021.**

This form can be returned by e-mail to [LDFconsult@eppingforestdc.gov.uk](mailto:LDFconsult@eppingforestdc.gov.uk) by post to **Planning Policy, Civic Offices, High Street, Epping CM16 4BZ**. Email is the Council's preferred method of receiving comments, as it will help us to handle your representation quickly and efficiently.

Comments are invited, regarding whether the Ongar Neighbourhood Plan and supporting documentation fulfil the "basic conditions", as required by paragraph 8 (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

If you wish to make comments about the draft Neighbourhood Plan, please specify which of the "basic conditions" you are commenting on. Comments should set out a justification as to why you consider that the basic condition has **NOT** been met, or why you consider that the basic condition has satisfactorily been met. You can also suggest improvements or modification to the draft Neighbourhood Plan.

All comments will be forwarded on to the appointed Examiner for the Plan. You should not assume that there will be an opportunity to add further information, although the Examiner may request additional information from you.

The regulations require that any representations made during the publication period must be submitted to the Examiner together with a summary of the main issues raised. Therefore, comments cannot be treated as confidential, although personal details will not be made publicly available.

Epping Forest District Council will submit all representations made to the Examiner if returned by the deadline. However, please note that late representations will not normally be accepted.

Personal Details		Agents Details (if applicable)	
<i>Organisation Name:</i>	City & Country Residential Limited	<i>Organisation Name:</i>	N/A
<i>Contact Name:</i>	Harriet Vincett-Wilson	<i>Contact Name:</i>	
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# Part 1

Five “basic conditions” form the statutory requirements for the draft Neighbourhood Plan. These require that the Neighbourhood Plan:

**Please tick the relevant basic condition / supporting documents and submit a separate Part 2 form for each of the basic conditions / supporting documents you are commenting on**

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make neighbourhood plan).	✓
b. the making of the neighbourhood plan contributes to the achievement of sustainable development.	
c. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).	✓
d. the making of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations.	
e prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.	

Other supporting submission document and supporting documents. Please specific which document you wish to comment on: <hr/>	
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# Part 2

## Question 1

<p><b>Why do you consider that the draft Neighbourhood Plan and/ or supporting documents do/ do not meet the specified “basic condition”?</b> Please provide a brief summary of your comments.</p>
<p><b><u>Policy ONG-ED1</u></b></p> <p>At present, the Neighbourhood Plan Policy ONG-ED1 is not aligned to paragraph 131 of the National Planning Policy Framework 2021 (NPPF), which states that:</p> <p style="padding-left: 40px;"><i>Planning policies and decisions should ensure that...existing trees are <u>retained wherever possible</u>.</i></p> <p><b><u>Policy ONG-ED6 &amp; Interpretation</u></b></p> <p>The current approach to Policy ONG-ED6 and subsequent ‘Interpretation of ONG-ED6’ does not accord with paragraph 125 of the NPPF, which states the following:</p>

*Area-based character assessment, design guides and codes and masterplans can help ensure that land is used efficiently while also creating beautiful and sustainable places.*

*Plans should contain policies to optimise the use of the land in their area and meet as much of the identified housing need as possible.*

Please refer to submitted covering letter for more detailed explanations.

**Detailed explanation and proposed modifications.** Please give further details of your opinion and the reasons for it, as well as any proposed improvements or modifications to the Plan (continue on a separate sheet as necessary).

### **Policy ONG-ED1**

It should be recognised that it is not always possible to retain all existing trees and hedges within any given site, and as such they should sought to be retained wherever possible, with appropriate mitigation measures sought where required.

The current wording of the policy read as follows, with suggested additions shown in bold:

1. *New-build development, including extensions, and alterations to existing dwellings must complement the rural character of the Ongar Parish and the specific character of the immediate context, creating a locally distinctive sense of place. This includes:*

*c) Retaining existing trees and hedges, **wherever possible** as well as including new planting, including in the street scene, using native local species;*

It is considered that the above caveats added this would ensure that the policy is sufficiently appropriate, flexible and aligned to the NPPF.

### **Policy ONG-ED6 & Interpretation**

This current approach does not accord with paragraph 125 of the NPPF.

Although it is appreciated that any forthcoming scheme on ONG-R2 needs to consider the relationship between the current properties in Great Lawn and The Pavillions in particular, and that a landscaped buffer could be an appropriate response, the suggestion that the buffer would be around 15 metres deep in order to be effective cannot be supported.

The Interpretation of ONG-ED6 section of the Neighbourhood Plan, states the following, with suggested deletion of wording shown with a strike-through.

~~*Although the policy does not specify the depth of the buffer, it is envisaged that it would be around 15 metres in depth, to provide an effective buffer.*~~

Furthermore, Plan 7.7 shows a landscape buffer area along the western boundary of ONG.R2 (hatched blue). Although this specifies that the plan is 'not drawn to scale', the indicative buffer width does not look proportionate and appears over-sized given the site and the context of its surroundings, which could be misleading, and does not encourage an efficient use of land as per paragraph 125 of the NPPF.

Please refer to submitted covering letter for more detailed explanations.

# Part 2

## Question 1

**Why do you consider that the draft Neighbourhood Plan and/ or supporting documents do/ do not meet the specified “basic condition”?** Please provide a brief summary of your comments.

### Policy ONG-ED1

The Epping Forest Draft Local Plan Submission Version, Policy DM 3, sets out the below wording, suggesting that proposals should be:

*Ensuring the sensitive use of design, layout, materials and external finishes.*

Please refer to submitted covering letter for more detailed explanations.

**Detailed explanation and proposed modifications.** Please give further details of your opinion and the reasons for it, as well as any proposed improvements or modifications to the Plan (continue on a separate sheet as necessary).

### Policy ONG-ED1

It is recognised that a singular approach to all front boundary treatments for any dwellings is not always appropriate, and the boundary treatment for each new plot should be assessed on a case-by-case basis; as such this should be reflected in the wording of ONG-ED1.

Furthermore, Policy DM3 can be much more closely adhered to without the Neighbourhood Plan prescribing a singular approach to front boundary treatments only.

The current wording of the policy read as follows, with suggested additions shown in bold:

*1. New-build development, including extensions, and alterations to existing dwellings must complement the rural character of the Ongar Parish and the specific character of the immediate context, creating a locally distinctive sense of place. This includes:*

*d) Using hedges or low-level (1 metre or less) masonry walls constructed of local materials for front boundary treatments; **where appropriate to the street scene and wider context.***

Please refer to submitted covering letter for more detailed explanations.

## Question 2

The appointed examiner will consider all representations received by the deadline (**4pm on 23<sup>rd</sup> December 2021**). Normally, the examiner will seek to consider all responses through written representations. However, occasionally an examiner may consider it necessary to hold hearing sessions to discuss particular issues.

Please indicate whether you would like to request to be heard before the examiner at the Neighbourhood Plan Examination Hearing: Yes / ~~No~~

If you have indicated that you wish to attend the Examination, please explain why you consider this to be necessary. Please note that this is entirely at the discretion of the examiner:

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**Question 3**

Please indicate whether you wish to be notified of either or both of the following:

The publication of the recommendations of the Neighbourhood Plan Examiner

YES / NO

Final “making” (adoption) of the Neighbourhood Plan by Epping Forest District Council

YES / NO

<b>Signature:</b> 	<b>Date:</b> 22 <sup>nd</sup> December 2021
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Thank you for taking the time to respond.