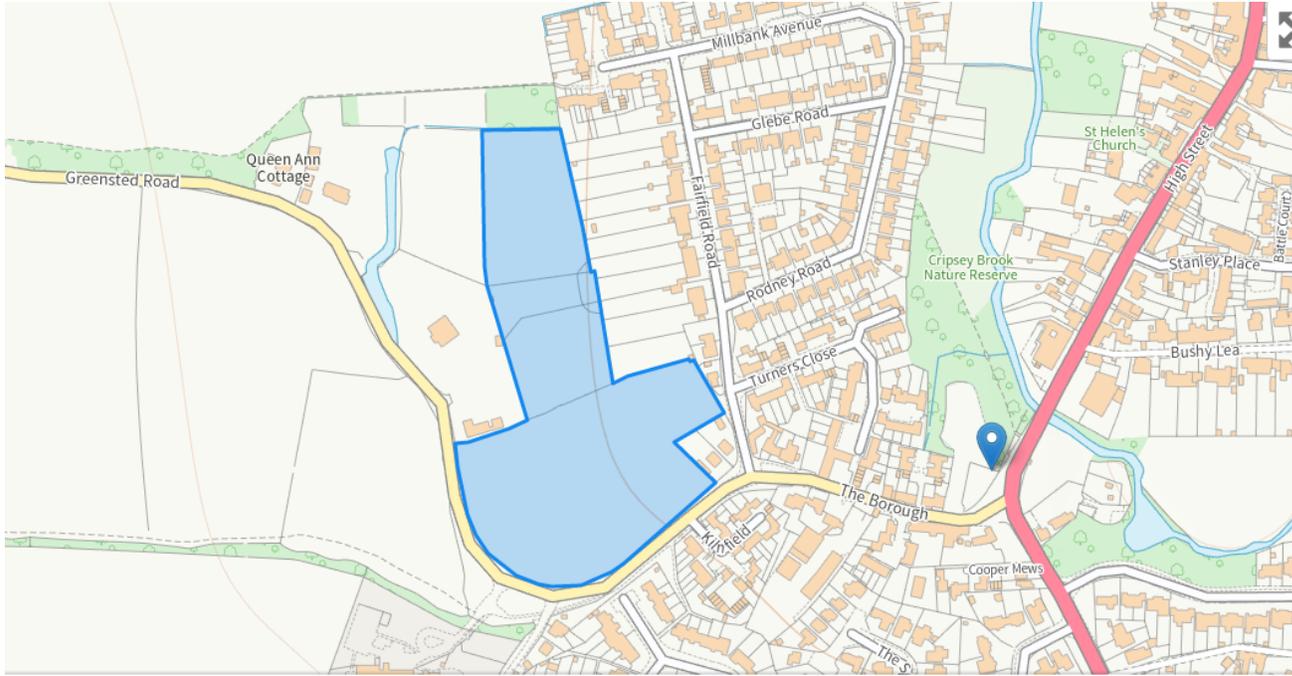




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Application Number:	EPF/2627/20
Site Name:	Land at Greensted Road Chipping Ongar CM5 9LA

OFFICER REPORT

Application Ref: EPF/2627/20
Application Type: Full planning permission
Applicant: Mr and Mrs P Heaney
Case Officer: Ian Ansell
Site Address: Land at Greensted Road
Chipping Ongar
CM5 9LA

Proposal: Construction of a residential development comprising of 95 units, together with open space, car parking & landscaping. (Amended plans received)
Chipping Ongar, Greensted and Marden Ash
Ongar

Ward:
Parish:
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nxps>

Recommendation: Approve with Conditions

Recommendation:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission
2. The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: FIH_001, 10, 12, 13, 30, 31, 050, 110H, 105A, 110A, 115A, 120A, 125A, 130C, 135A, 140A, 145A, 200A-215A inclusive, 325B, 326C, 327B, 328, 800, and proposed street views Rev A.
3. Development shall not commence until the developer has completed a binding agreement with an affordable housing provider agreed by the Council to facilitate delivery of the affordable housing units shown on the approved plans and required by the associated legal agreement accompanying this permission.
- 4 i. No development or preliminary groundworks can commence until a programme of assessment has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority prior to reserved matters applications being submitted.

- ii. A mitigation strategy detailing the excavation strategy shall be submitted to the local planning authority following the completion of this work
- iii. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
- iv. The developer shall submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

5 Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

6. A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property

(existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.

B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction, including wheel washing.
6. Measures to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution,

7. A scheme for recycling/disposing of waste resulting from demolition and construction works.

8. A construction environmental management plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the local planning authority. This should include, but is not limited to, precautionary working methods enabling mitigation of any potential impacts on retained habitats hedgerows and trees, nesting birds, bats, reptiles, great- crested newts, badgers and Priority species (Hedgehog). The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

9. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

10. No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with the Flood Risk assessment accompanying the application, and an assessment of the hydrological and hydro

geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- i. Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- ii. In case the infiltration is proven to be unviable the peak discharge from the site is limited to 3l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. The surface runoff from northern catchments would be limited to 1.2l/s and peak discharge from southern catchment would be limited to 1.8l/s for all storm events up to and including 1 in 100 year plus 40% climate change allowance. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- iii. Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- iv. Final modelling and calculations for all areas of the drainage system.
- v. Detailed engineering drawings of each component of the drainage scheme.
- vi. A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- vii. A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented in accordance with the agreed details prior to occupation.

11. No works shall take place until a scheme of enhancement measures until a detailed survey of the watercourse at the northern site boundary to ascertain its condition and any local flood risk issues, and details of enhancement measures inclusive of natural flood management to the existing watercourse crossing the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

12. All ecological mitigation & enhancement measures and/or works shall be carried out in

accordance with the details contained in the Preliminary Ecological Appraisal and Hedgerow Regulations Assessment Report (D F Clark, November 2020), Great Crested Newt Impact Appraisal (Greenwillows Associates Ltd, June 2021), Ecological Impact Assessment: Reptiles (Greenwillows Associates Ltd, June 2021) , Ecological Impact Assessment Bats (Greenwillows Associates Ltd, October 2021), The Technical Note: Biodiversity Metric v3.0 Calculations for Change in Hedgerow Biodiversity Units (Greenwillows Associates Ltd, October 2021) and the Site Plan Amended 22/09/2021 (BB Partnership LTD) as already submitted with the planning applications and agreed in principle with the local planning authority prior to determination.

13. Prior to the commencement of development other than groundworks, confirmation shall be provided that either:

1. Capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

14. Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and
- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly.

This will address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;

- b) How charging point usage will be charged amongst users;
- c) The process and the triggers for identifying when additional passive charging points will become activated; and
- d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

15. Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

16. Prior to commencement of commencement of slab level works, A Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal and Hedgerow Regulations Assessment Report (D F Clark, November 2020), Great Crested Newt Impact Appraisal (Greenwillows Associates Ltd, June 2021), Ecological Impact Assessment Bats (Greenwillows Associates Ltd, October 2021), The Technical Note: Biodiversity Metric v3.0 Calculations for Change in Hedgerow Biodiversity Units (Greenwillows Associates Ltd, October 2021) and the Site Plan Amended (BB Partnership Ltd). The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;

d) persons responsible for implementing the enhancement measures;

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

17. Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

18. Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

19. Prior to the commencement of above ground works, details of the position, design, materials and type of all boundary walls, fences and other means of enclosure to be erected, shall have been submitted to and approved by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the

occupation of the development and thereafter permanently retained.

20. Prior to commencement of any above ground works, details of all external lighting shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. No additional external lighting, including any lighting within the curtilage of any dwelling within the development shall thereafter be installed without prior consent from the local planning authority.

21. Prior to the commencement of above ground works, full details of provision for cycle shelters and refuse storage shall be submitted to and approved by the local planning authority. The works as agreed shall be fully implemented prior to the occupation of the dwellings the facilities serve, and shall be thereafter retained in perpetuity for the intended purpose.

22. No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared, provided a written report of confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site, and that written confirmation has been approved by the Local Planning Authority.

23. No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

24. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

25. All material excavated from the below ground works hereby approved shall be removed from the site, unless retention and re-use is agreed as part of any landscaping scheme approved for the site.

26. If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

27. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of any dwelling in the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five- year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.
- The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show

that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

28. Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

29. Prior to completion of the development hereby permitted, details of boilers shall be submitted to and approved in writing to the Local Planning Authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%). The development shall be carried out in accordance with the approved details.

30. Prior to the first occupation of the development the developer shall implement the works as shown in principle on RPS drawing no.JNY9376-04Rev A, with all details being agreed with the Highway Authority, and to include but not limited to the following:

- i. Undertake reasonable endeavours to relocate the 30mph speedlimit approx. 55- 60m to the north, to coincide with the start of the development, with new signage and gateway features either where it is now or at the new location;
- ii. The provision of a new bellmouth access, with a minimum of 6m radii and new 2m wide footway from the site to tie into the existing footway to the east;
- iii. Minimum 75m visibility splays, clear to ground level, to be provided from the access and all the uncontrolled pedestrian crossing points;
- iv. The implementation of a pair of pedestrian dropped kerb crossing points, with tactile paving, across the bellmouth of Fairfield Road/Greensted Road and a pair across Greensted Road between the new access and Kilnfield; Provision of a shared pedestrian/cycle access to the east of the site onto Fairfield Road;
- v. Provision of a new uncontrolled pedestrian crossing point to the south west of the site with new footway to the school;

vi. Provision of any TROs considered relevant for the site e.g. Parking restrictions around the new bellmouth etc.

The approved details shall be fully implemented in consultation with the local highway authority in accordance with a phasing plan to be submitted and approved by the Local Planning Authority prior to said first occupation.

31. Prior to the first occupation of any dwelling within any individual phase indicated on drawing number FIH_145A, the vehicle/cycle parking and turning areas to the properties in that phase as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

32. Prior to the first occupation of the proposed development, the Developer shall submit a residential Travel Plan to the Local Planning Authority for approval in consultation with Essex County Council. The approved Travel Plan shall then be actively implemented for a minimum period from the first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee of £1,500 (one thousand five hundred pounds index linked) to be paid to Essex County Council.

33. Prior to the first occupation of the proposed development, the Developer shall be responsible for the provision and implementation per dwelling -of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers, for use with the relevant local public transport operator. This will be at no cost to the occupier.

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes B, C, E and F of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification),

no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written agreement of the Local Planning Authority.

AND SUBJECT TO A SUITABLE LEGAL AGREEMENT to deal with matters set out in detail in the report in relation to financial contributions relating to education, library and health care provisions, open space and green infrastructure enhancement, community facilities, air quality mitigation in the EFSAC, highway improvements and monitoring fees.

Report

(1) Members of the Area Planning Committee initially voted on the officer recommendation 8 for and 8 against, and elected to refer the application to DDMC for further consideration.

(2) In referring the application, Members requested a number of matters be considered further, in particular:

- Parking provision within the development
- Additional local community engagement with local residents and Parish Council
- Provision of parish homes within the affordable element
- Further information on flood mitigation measures

(3) The applicants have submitted revised plans to respond to the issue of parking provision within the site. Revisions have been made to the frontages of a number of properties to provide additional off street parking to replace areas of domestic front gardens, and to some parts of the less visible public realm in order to create additional visitor parking spaces. As a result, the application now includes parking for 177 vehicles, an increase of 29 from the previous scheme. All units above one bedroom size are now shown with two parking spaces within their curtilage and one bedroom units have one off street parking. Visitor provision is doubled, from 8 spaces to 16. The revisions now equate to 1.86 parking spaces per unit overall.

(4) Local community engagement – The applicants have advised that a public meeting

chaired by Councillor McIver was held in May. Although a number of people left the meeting early, a question and answer session with the applicant team, including the drainage engineer, proceeded. The applicants also advise that they had initial discussions with the Clerk of Ongar Town Council, no dates to attend a meeting were offered.

(5) Members of East Committee raised the possibility of the affordable dwellings being designated as Parish Homes. Officers have advised on other recent cases that this can be addressed through an informative which officers has now included.

(6) A detailed Flood Risk Assessment accompanies the application. This includes a detailed assessment of flood risk from all sources, including run of from adjoining higher land to the west. The FRA sets out a strategy whereby the land to the north will drain to the existing ditch crossing the centre of the site (which will itself be cleared of debris to increase its capacity) and will link to the balancing pond in the south east corner of the site itself designed to have a volume of 880 cubic metres (roughly equivalent to a swimming pool of 20m x 15m x 3m). The results of the FRA have been agreed by Essex County Council as Lead Local Flood Authority, and by the Councils Environmental protection and Drainage Team. Much detailed design work remains to be done and is reflected in the conditions recommended on the issue, but at application stage the measures meet the requirements set out in planning policy.

Reconsultation

(7) In light of the amended plans, local residents and interest groups were reconsulted. Eleven responses were received from Community Groups and individual respondents as under:

Ongar Neighbourhood Plan Community Group
Fairfield and Fairbank Residents Group
19 and 23 Fairfield Road
5 and 10 Fairbank Close
6 Rodney Road
192 High Street
Woodlands, Greensted Road
Willow Cottage, Greensted Green
10 Basons Way
Corbetts Cottage, Norwood End, Fyfield

(8) Most respondents reiterate previous comments objecting to various elements of the development, and these matters have been addressed in the original report. These include:

- Scale of development out of character with local area
- Housing mix inappropriate to location
- Urban character and form
- Loss of Green Belt
- Surface water flooding issues
- Traffic and access
- Impact on local service infrastructure
- Play areas unnecessary

(9) A number of other matters have arisen in the responses and more generally and comments on these are provided as appropriate below:

- Adherence to Ongar Neighbourhood Plan – this is discussed further below.
- Density – objectors argue that density should be calculated on the net developable area rather than the whole site area. COMMENT – this has been discussed previously and officers believe it should be clarified for the avoidance of doubt. Density is calculated across the whole site area. The LPSV defines net density as including houses / flats, private garden space, car parking areas, incidental open space and parking areas. Only on larger sites is an allowance made for major distributor roads, education or community uses, none of which apply in this case. The site allocation documents identifies the site as having an indicative development area of 3.32ha, an indicative net density of 36 dwellings per hectare and an approximate net capacity of 107 dwellings, entirely consistent with the methodology used by officers in arriving at a scheme density of 28.6 dwellings per hectare.
- Loss of green space within the site for additional parking. COMMENT – this is the inevitable trade off – providing additional curtilage parking will reduce the amount of open land within each property. Most of the additional parking will be achieved by increase frontage parking. The increase in hard surfaces that results will be addressed in the surface water strategy through porous surfaces and further development of the drainage strategy.
- Parish homes should be included. Comment – as discussed above, this matter has been included in an informative.
- Residents at 10 Fairbank Close have raised a specific issue in relation to the site boundary,

claiming this included part of their garden.
COMMENT – the applicants have provided evidence, including Land Registry documents that all of the land inside the red line is within their control.

(10) Ongar Town Council have submitted a joint objection with the Ongar Neighbourhood Plan Community Group. The main objections are as under:

- *Flats are inappropriate in this rural, edge of settlement location. Neither are flats suitable on relatively low designated indicative density site of 36DPH. (nearly a third of the 95 are 1 Bed flats). This is contrary to EFDC planning guidance (HMGN) and as stated in EFDC Housing Dept comments 2020 relating to affordable housing provision (24 out of the 29).*
- *The heights and massing (of 6 blocks of 3 storey flats) crammed in the centre of the site, are completely out of character for the rural location, at present still in Green Belt. The resultant street scene is also too 'enclosed' in character for the parish⁴, and the architectural designs of the flats do not complement the area. Furthermore, the 3 storey flats will dominate and be overbearing on neighbouring properties, which are also on much lower ground. These aspects are contrary to several Local Plan and Neighbourhood Plan policies and design guides.*
- *Out of 95 homes, there is a deficit of 31 3+ bed houses and 31 too many 1-2 bed homes, according to EFDC's housing mix requirement for the location, indicative density, and size of this site. The Housing Mix and accommodation type is not in accordance with EFDC policy and Housing Mix (Planning) Guidance Note 2021 (HMGN), or district wide EFDC Housing Policies. Neither does it comply with several ONP policies or equate with the SHMA housing mix and existing mix in Ongar. It will not meet local need which is mainly 3 bed family houses with gardens and parking.*
- *One Bed housing units should be maisonettes with gardens in this rural, edge of settlement location (as found in other parts of Ongar) as stipulated in HMGN, not flats. Furthermore, few of the smaller properties would offer flexibility to suit downsizers or the elderly or disabled⁵, with no lifts in the 3 storey flats and no bungalows.*
- *Parking provision is not sensitively integrated into the built form, in accordance with National Design Guide & National Design Code, contrary*

to NPPF 2021 para 110(c). Houses have narrow frontages, so the street scene will be that of a car park. Local need for above minimum provision has not been considered. Resultant overflow car parking, including for larger households, deliveries and visitor parking, will cause obstructions, preventing access for refuse and emergency vehicles. A redesign of parking allocation is also required to comply with Ongar Neighbourhood plan policies and wider landscape policies.

- Visitor car parking provision is below the adopted EPS (which is a meagre 0.25 per dwelling). This will cause aggravation and tension between neighbours, so detrimental to a cohesive friendly neighbourhood, and obstructions to the road (see above).

- The offering of a LEAP is not required and should be replaced with developer contributions (s106) to the provision of a town park and/or more playing pitches and/ or pre-school provision in the centre of Chipping Ongar for the benefit of the wider community. This is included in Ongar Neighbourhood Plan Policy

Ongar Neighbourhood Plan update

(11) The Ongar Neighbourhood Plan (ONP) has since the earlier Area Committee now been the subject of an Examiner's report in May 2022. The Examiner found that subject to modifications, the ONP met the basic requirements to proceed to a local referendum. Cabinet agreed in July to accept the Examiners recommended amendments in full. The local referendum on the plan was due to be held on 8th September 2022 as this report was being finalised. As the Plan has now progressed, it should be given additional weight in the determination of applications. Notwithstanding, this additional weight, officers remain of the view as stated in the original report to the Area Committee. The proposals are consistent with the core objectives of both emerging policy documents.

Section 106 agreement update

(12) Discussions on the s106 agreement have progressed over the last four months in line with the Heads of Terms set out in the report to Area Committee. At the time of preparing this report, a completed agreement may be in place by the time the application comes before Members. Such an agreement would be

completed on a without prejudice basis and at the applicants risk.

Variation of condition

(13) If members are minded to grant permission, the changes to the plans will mean some of the conditions attached to the earlier permission will require minor revisions to drawings directly referred to, as under:

2. The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: FIH_001, 10, 12, 13, 30, 31, 050, 100J, 105B, 110B, 115B, 120B, 125B, 130E, 135B, 140B, 145B, 200A-215A inclusive, 325B, 326C, 327B, 328, 800A, and proposed street views Rev A.

31. Prior to the first occupation of any dwelling within any individual phase indicated on drawing number FIH_145B, the vehicle/cycle parking and turning areas to the properties in that phase as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.