

18 March 2021



Civic Offices
High Street
Epping
Essex
CM16 4BZ

Subject: Epping Forest District Council's Response to the Draft Ongar Neighbourhood Plan

Dear Mary Dadd

Thank you for inviting the District Council to comment on the Draft Ongar Neighbourhood Plan which has been published for consultation under regulation 14(c) of The Neighbourhood Planning (General) Regulation 2012.

The Council commends Ongar Town Council and the Ongar Neighbourhood Plan Community Group (ONPCG) on the significant work that has been undertaken in preparing this considered and positive Plan for consultation. To date, the District Council and the ONPGC have engaged positively, and the Council are keen to maintain a positive and constructive approach to engagement in the finalisation of the Plan.

As you will be aware, Neighbourhood Plans must meet a number of 'basic conditions' set out in Schedule 4B of the Town and Country Planning Act 1990, and Neighbourhood Plans must also have regard to national planning policy as well as be in general conformity with the strategic policies of the District Council's Local Plan. Officers in the Council's Planning Policy Team have reviewed the Draft Ongar Neighbourhood Plan in light of national planning policy and the District's Local Plan Submission Version 2017 (LPSV), and we have sought to set out constructive suggestions and comments as far as possible. Some of the main points are covered in the body of this letter, and more detailed comments are included in the accompanying table.

Strategic Environmental Assessment (SEA)

In order for a neighbourhood plan to meet the basic conditions at examination it must be compatible with EU obligations. One of these obligations relates to the effect a plan may have on the environment. The Town Council and the ONPCG must therefore consider whether Strategic Environmental Assessment (SEA) will be required to inform and support the Neighbourhood Plan. Planning Practice Guidance¹ states that:

where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant

¹ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#strategic-environmental-assessment-requirements-for-neighbourhood-plans>

environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Since the draft Neighbourhood Plan is not proposing site allocations, the Council's initial screening assessment concluded that a SEA will not be required. Consultation on the outcome of the screening took place with statutory bodies in October 2020. Responses were received from The Environment Agency and Historic England. The Environment Agency, based on their review of the draft Neighbourhood Plan thinks that there are potential significant environmental effects that relate to the Neighbourhood Plan area. However, as the Local Plan's Sustainability Appraisal has already appraised the risks associated with the constraints identified, a SEA covering these risks may not be necessary. The Council would concur, given the Neighbourhood Plan itself is not proposing any sites for allocation, that all the matters the Environment Agency raises have been adequately addressed through the District's Local Plan preparation and are reflected in the District's emerging Plan. Historic England responded to the consultation and based on the information provided considered that the preparation of a SEA is not required. Natural England is yet to provide a response to the consultation. The screening report will be provided to the Town Council and the ONPCG and published on the Neighbourhood Planning page of the Council's website shortly.

Epping Forest Special Area of Conservation (SAC), Site Allocations and requirement to undertake Habitats Regulations Assessment (HRA)

The Council has a duty as the 'competent authority' under the Habitats Regulations to protect the Epping Forest Special Area of Conservation (SAC) which is internationally protected from the effects of development (both individually and cumulatively). From work undertaken to date, two specific issues in particular have been identified that could have a likely significant effect on Epping Forest SAC. These being:

1. The result of increased visitors to the Forest arising from new development.
2. The result of damage to the health of the flora, including trees and potentially the heathland habitats, from air pollution generated by vehicles.

Since the draft Neighbourhood Plan is not proposing site allocations, the Council's initial screening assessment concluded that a HRA will not be required. Consultation on the outcome of the screening took place with Natural England in October 2020. Natural England is yet to provide a response to the consultation. The screening report will be provided to the Town Council and the ONPCG when it is received and published on the Neighbourhood Planning page of the Council's website shortly.

Housing Mix

In relation to the Neighbourhood Plan draft policy ONG-RR3: New Housing Mix and Standards and supporting text, it is important to ensure that the right size, tenure and type of new homes is provided across the District to meet the needs of existing and future residents, and to ensure the creation of mixed and balanced communities. The risk of not achieving the appropriate housing mix for a settlement is the risk of over-provision of certain sizes, types and tenures of housing across the District, which in turn will not allow for mixed and balanced communities. Whilst the SHMA provides a high-level, strategic housing mix to be achieved across the District, it is important to appreciate that individual sites will have particular characteristics and constraints that may require a mix that diverges from the

SHMA. The indicative density and capacity as set out in the LPSV for allocated sites should be the starting point in assessing the appropriate mix for any new development. These figures, which set out housing numbers for allocated sites, are the result of a comprehensive site selection and assessment process. This process, outlined in the Site Selection Report (EB805), takes into account policy constraints, quantitative and qualitative considerations (incl. environmental, biodiversity and heritage impact, value to Green Belt, accessibility, landscape and townscape impact and physical site constraints).

Local Green Spaces

The Council notes the aspiration to protect the green spaces of Ongar in Policy ONG-CT1, by designating them as Local Green Spaces. The supporting text refers to the 'Ongar Local Green Space Assessment and Proposals 2020'. It would be useful for the Council to review this evidence base document in order to comment more fully upon the Policy.

Landscape Buffer

The draft Neighbourhood Plan is proposing a landscape buffer as part of the West Ongar Concept Framework Plan Area 'where any new development flanks existing homes'. As outlined within the table, it would be helpful to clarify in the Policy if this relates solely to the Concept Framework Plan Area or not, in order to remove any ambiguity. The Council's comments remain as per our feedback in September but in addition we express concern that the landscape buffer is represented on Plan 7.7 in the Draft Neighbourhood Plan and its spatial extent stated on page 56. The requirement for such a buffer is not specifically reflected in the Local Plan and although its consideration may form part of the process in developing the Concept Framework Plan its current depiction in the Draft Neighbourhood Plan suggests it is more formalised than it currently is.

Conclusion

The Council hopes that the comments provided in this response are helpful, and are received in the positive and constructive way in which they are intended. We look forward to working with Ongar Town Council and ONPCG on the Neighbourhood Plan as it nears completion.

The Council reserves its right to comment on any forthcoming Submission Version of the Neighbourhood Plan in due course, as well as to come to a view as to whether the neighbourhood plan meets the basic conditions after the independent examination has taken place, after the examiner's report is received and once any modifications recommended by the examiner have been addressed by the Town Council and ONPCG.

We would be happy to discuss any of the above, should you find that helpful.

Yours Sincerely

L. Ciavucco

Loredana Ciavucco

Planning Policy Officer

Table 1: Assessment of compatibility with Local Plan strategic policies

Policy code	Policy Name	Compatibility with EFDC Local Plan Strategic Policies	Further Comment on policy wording	Regulation 14 Comment – March 2021
ONG - RR1	Employment and Rural Diversification	Policy E 1 Employment Sites. The policy is not incompatible with Policy E 1 subject to 'Further Comments'. The Local Plan deals with the environmental impacts of such development in the DM Policy Section in particular DM 21 Local Environmental Impacts, Pollution and Land Contamination which is not a strategic policy.	The term 'office services' should be defined as this is not a common term. Alternatively does this refer to 'serviced offices' which are used on a short-term rental basis by companies and individuals? The use of 'other impacts' is not adequately specific and these impacts should be precisely defined. As written, it would be interpreted as ... "subject to there being no significant adverse impact on: Other impacts...." Which does not make sense. There is no reference to privacy or overlooking matters when considering the living conditions of neighbours. It is suggested this is added instead of 'other impacts'	The wording 'office services' has been changed to 'serviced offices'. The wording 'other impacts' has been replaced with 'overlooking matters'. There have been no further changes to the Policy and the Council's main concerns have been addressed.
ONG-RR2	Chipping Ongar High Street	Policy E 2 Centre Hierarchy/ Retail Policy The NDP policy is perhaps more permissive than Policy E 2 in the context of the Use Classes Order but new changes to the Use Class Order makes this irrelevant.	Part 2. the phrase "Uses not open to the general public" is problematic in that it is not clear what type of use is envisaged. Is this an office that is not open to the public? If so, control of such uses is unlikely to be possible. The government introduced new changes to the Use Class Order on 1 September 2020. Planning permission is not required to change uses within a use class. The new Class E - "commercial, business and service" - use class would subsume the existing Class A1 (Shops), Class A2 (Financial and professional services), Class A3 (Restaurants and cafes), and Class B1 (Business) use classes. This means that the control sought by this policy will not be feasible. The amended Use Class order can be found here .	New wording has been proposed to Part 2 of the Policy as follows: 2. Change of use from Class Use E to residential Class Use C3 will be resisted in ground floor frontages. The Council would like to draw attention to MHCLG's recent Supporting housing delivery and public service infrastructure consultation (which closed on 28 January 2021) . This consultation sought views on a proposed new permitted development right for change of use within the new Class Use E to residential. Clearly if this proposal is advanced it will have significant implications for this proposed policy. Part 4 - Please note that Pleasant Car Park was assessed through the site selection process (SR-0845) which concluded it was not suitable for development for the following reasons: "Although the site is in a sustainable location, it scored poorly against several criteria at Stage 2 including settlement character and impact of air quality. The potential loss of car parking in this location was considered unacceptable and the site therefore did not proceed any further."
ONG-RR3	New Housing Mix and Standards	SP 3 Place Shaping – to be considered not incompatible with this policy further justification needs to be provided for part 3 densities. Policy H 1 Housing Mix and Accommodation Types The policy is not compatible with policy H 1 for the reasons noted under 'Further Comments' Policy P 4 Ongar This policy is not compatible with Policy P 4 due to the indicative densities of sites allocated in the Local Plan. Should significantly lower densities be imposed on these sites the strategy of the Local Plan could be compromised due to achieving a	Part 1. Requires that the mix of accommodation must both reflect the latest evidence of local housing need AND include 3-4 bedroom, 1-2 bedroom and housing suitable for the elderly or people of limited mobility. This is contradictory in the sense that it identifies that the local evidence should be reflected then presupposes what that evidence might state. Also, it is not reasonable to ask for a mix in every individual development, where the size of the development may not make this feasible. If reworded to replace 'including' with 'for example' this would overcome the concern. Part 2. This is not a clear policy requirement. Is it meant to state that a bedroom would not be counted as such unless it meets the Nationally Described Space Standards? The standards do not set the number of bedrooms – rather the size of a bedroom Part 3. Requires that the density of new residential development must take account of the existing character of the area, based on existing average density of 24 dwellings per hectare. Policy SP3 Place Shaping of the LPSV seeks densities above 50 dwellings per hectare in towns (Ongar is classed	Wording to Part 1 has not been reworded to reflect previous comments, therefore the Council's initial concerns remain. Whilst the SHMA 2015 provides the overall housing mix required at District level, it is recognised that the mix proposed on individual sites should reflect local need and respond to specific site constraints. A strategic approach to delivering housing mix is required to ensure that District wide mix is met, but individual sites provide the housing mix most appropriate to their context. Therefore, the starting point for determining mix for any site should be the indicative capacity and density as set out in the LPSV site allocations. The local need for market vs. affordable housing will be different, and this should be taken into consideration. EFDC is currently working on a Housing Mix Guidance note that sets out the process that should be undertaken to arrive at the housing mix of a site; including both qualitative and quantitative considerations.

		<p>lower yield and not making most effective use of land. It should be noted that Main Modifications are proposed to the site requirements of Policy P 4.</p>	<p>as a Town in the LPSV). However, at Part B (iv) the policy notes that lower densities may be appropriate in certain circumstances. A proposed modification to Policy SP3 amplifies Part B (iv) of the policy to note that where such lower densities are proposed, there would need to be suitable justification. It is therefore advised that Policy ONG – RR3 part 3 is further justified but this may still not make the policy compatible with Policy P 4 Ongar of the Local Plan. The indicative site densities of the Local Plan allocations are higher than the 24 dph suggestion in the NDP policy. [ONG.R3 is 34 dph, ONG.R4 is 43 dph, ONG.R5 is 36 dph, ONG.R8 is 34 dph, and ONG.R1 & 2 in the West Ongar Concept Framework are around 40dph] however, ONG.R6 is 25 dph and ONG.R7 is 23 dph.</p> <p>Part 5 seeks to ensure that all new housing ‘must’ provide discreet and screened bin storage away from road frontages. It may not always be possible to ensure this in Ongar. Would suggest replacing ‘must’ with ‘should’ or ‘should normally’.</p> <p>Part 7 - This is not entirely clear. Is it the internal layouts that are sought to provide for home working (i.e. internal space to work) or the layout of the site itself? (space for a garden office). It would help if this was clarified.</p>	<p>(Now Part 3 of the policy) Removes reference to number of bedrooms however sets tougher criteria. Previously read ‘will be assessed against’ now reads ‘should be greater than the national space standards’, whilst the LPSV states that any new development should ‘meet or exceed’ the National Space Standards. This ambitious policy is welcomed however sufficient evidence will need to be provided to support why national space standards which will come into force through the General Permitted Development Order should be exceeded. Should also read ‘nationally described space standards’ rather than ‘nationally prescribed space standards’.</p> <p>Part 3 of the policy has been removed.</p> <p>New Part 4 – states that homes allocated for downsizers must comply with DWELL standards. Neither the LPSV or NP have allocated homes for downsizers – do you mean ‘homes proposed for downsizers’? DWELL presents best practice guidance for specialist and downsizer accommodation, with prescribed standards generally more generous than those in the NDSS. As above, sufficient evidence must be provided to support this.</p> <p>New Part 5 – ‘outdoor space must be no less than minimum garden space in Essex Design guide’. Sufficient evidence must be provided to support this. Additionally, the NP may wish to specify the space standard within the policy as the Essex Design guidance may change.</p> <p>Part 7 of the policy has been removed.</p> <p>In relation to the supporting text to this policy the paragraph relating to LPSV Policy H 1 is factually incorrect. The Policy does not prescribe percentages.</p>
ONG-RR4	Broadband	<p>Policy D 5 Communications Infrastructure The policy is not incompatible with Policy D 5.</p>	<p>The policy seeks to go further than the Local Plan Policy by requiring connections in all development. The use of the word ‘must’ is not generally found to be acceptable in planning policy as it is inflexible. It could be replaced with ‘should’ or ‘should normally’.</p>	<p>The wording of this policy has remained the same therefore previous initial concerns remain.</p>
ONG-ED1	Local Character	<p>SP 3 Place Shaping The policy is not incompatible with Policy SP 3</p> <p>P 4 Ongar The policy seeks to go further than the Local Plan in terms of tree retention on sites. Should significantly lower densities be imposed on these sites as a result the strategy of the Local Plan could be compromised due to achieving a lower yield and not making most effective use of land.</p> <p>It should be noted that Main modifications are proposed to the Site requirements of allocated sites in Ongar.</p>	<p>The policy would benefit from a caveat in respect of the criteria such as by adding “where possible” to ‘This includes...’ this would also make the policy more compatible with the requirements that the Local Plan places upon the sites such as minimising the loss of trees rather than ruling them out altogether. This is because there are occasions when it is necessary to lose existing trees for the effective development of the site.</p>	<p>Policy has not been amended to take into account suggested wording to caveat criteria.</p> <p>In relation to the supporting text to policy ONG-ED1 concerning site density, and as set out in the cover letter, the approximate capacity figures in the LPSV, which set out housing numbers for allocated sites, are the result of a comprehensive site selection and assessment process. This process, outlined in the Site Selection Report (EB805), takes into account policy constraints, quantitative and qualitative considerations (incl. environmental, biodiversity and heritage impact, value to Green Belt, accessibility, landscape and townscape impact and physical site constraints). Therefore the housing numbers put forward should already be considered appropriate for the site.</p>
ONG-ED2	Design and Character in	<p>SP 3 Place Shaping</p>	<p>The policy is compatible with the non strategic DM 14 Shop Fronts and on Street Dining including proposed Main Modifications to Policy DM 14.</p>	<p>Suggested amended wording has not been incorporated within this Policy, therefore the Council’s initial concerns remain.</p>

	the Chipping Ongar Conservation Area	This policy is not incompatible with Policy SP 3. In particular it seeks to add further detail to Part (xi) which seeks to maintain and enhance the important features, character and assets of existing settlements.	The use of the word 'must' should be avoided and could be replaced with 'should' or 'should normally'.	Part 1, third bullet – reference to 'the architectural diversity of the area' needs more specification, perhaps reference to the Ongar Design Guide could be made here. Part 2, fourth bullet – Instead of shutters, grilles should be used as solid shutters can have a deadening effect on the street scene.
ONG-ED3	Sustainable Design	SP 3 Place Shaping In broad terms the policy is not incompatible with Policy SP 3 SP 7 The Natural Environment, Landscape Character and Green and Blue Infrastructure In broad terms the policy is not incompatible with Policy SP 7 subject to the comments in 'Further Comments'. It should be noted that Main Modifications are proposed to Policy SP 7	Part 1 final bullet – is there evidence that it is appropriate that "all hard surfaces" are made permeable in new development in Ongar? There may be sites and locations where this is not the case, indeed this is dependent upon geology. It is rare for such a requirement to be acceptable, rather such requirements are caveated with words such as 'where possible' or 'normally' to provide some flexibility. Refer Policy DM 16 Sustainable Drainage Systems in the Local Plan which should assist with understanding this matter. Part 2 - it is not clear why the provisions in part 2 should only relate to new development involving new layout (roads and footpaths) since it precludes other opportunities to incorporate high quality public realm, SuDS, enhancements to biodiversity etcetera. It would be better to incorporate parts 1 and 2 so as to avoid being contrary to Policy SP 7 as proposed in Main Modifications since this applies to all development.	Now ONG- ED4 Part 1 - Suggested amended wording has not been incorporated within this Policy, therefore the Council's initial concerns remain. Part 2 - Suggested amends have not been incorporated within this Policy, therefore the Council's initial concerns remain. Please note that the Council is working to produce Sustainability Guidance which will be a valuable tool for applicants and planning officers.
ONG-ED4	Environment	P 4 Ongar The policy seeks to go further than the Local Plan in terms of tree retention on sites in relation to retention of newly planted woodland, copses and hedges. Should significantly lower densities be imposed on these sites as a result the strategy of the Local Plan could be compromised due to achieving a lower yield and not making most effective use of land.	The policy states first in part 1 that development must have no adverse impact and then in part 2 that any adverse impact should be offset. It therefore contradicts itself. The insertion of the word 'unacceptable' between 'no' and 'adverse' in part 1 may help to overcome that issue. Indeed, it is not feasible for development to occur with no adverse impact whatsoever.	Now ONG-ED5 Part 1 of the policy has been amended to read "Development must enhance or have no unacceptable adverse impact..." Please note the Council is making progress with the Green Infrastructure Strategy and this will go to Stronger Place Select Committee later in March and then Cabinet in April for adoption.
ONG-ED5	Historic Buildings	There are no directly relevant strategic policies in the Local Plan – however, advice is contained in 'Further Comment'	Part 3 of the policy is not compatible with National Policy and is unlikely to survive Examination since the requirement for alterations to be reversible is a more stringent requirement. Part 4 of the policy is a more detailed interpretation than the national guidance in respect of the setting of listed buildings but might survive Examination if the policy is reworded to describe the importance of the spaces in relation to the significance of the listed building. It is recommended to add that development must 'preserve or enhance' the setting of Listed buildings. Otherwise on face value the policy requires that new development must always enhance the setting, which is beyond the requirements of the LPSV and NPPF. Part 6 of the policy is curious. The term 'constructional detail' would benefit from definition. The 'degree of recession of openings' in relation to 'a high standard of detail and finish' is also a curious term. It is not clear what the first sentence is specifically seeking to achieve in relation to development. The second sentence relates to requirements of the plans accompanying an application. It is not always sensible to refuse an application on grounds of	Now ONG-ED3 Part 1 & 2 – Conservation officers consider that each case should be assessed on its own merits and therefore would strongly support the removal of these parts. Part 3 - Suggested amends have not been incorporated within this Policy, therefore the Council's initial concerns remain. As above, Conservation officers strongly feel Part 3 of the policy should also be removed. As a minimum we suggest the deletion of 'be reversible and'. Part 4 of the policy has been amended to include 'preserve or enhance' in line with the NPPF and LPSV. Part 6 – 'constructional detail' has not been defined within the Plan itself or the accompanying Glossary.

			insufficient detail rather, one would normally request further detail from the applicant rather than 'normally refuse' them.	The final sentence to Part 6 of the policy has been amended to include 'more detail must be requested and received before a decision is made.'
ONG-ED6	West Ongar Concept Framework Plan – Site ONG.RS Open Space and Amenity	Policy P 4 Ongar. The policy is not considered to be compatible with the strategic policies of the Local Plan. Refer 'Further Comments'	This policy seeks to identify a landscape buffer. The location of this buffer appears to preclude vehicular access to the site from the High Street which is noted as the Council's preference in the LPSV, p107 of Appendix 6. In addition, the buffer may not represent the most effective development of the site and could prejudice achieving the expected density. Should significantly lower densities be imposed on these sites as a result the strategy of the Local Plan could be compromised due to achieving a lower yield and not making most effective use of land.	Part 1 - It would be helpful to clarify if this is relating specifically to the Concept Framework Plan area or more widely? The requirement for a landscape buffer is not reflected in the Local Plan, although its consideration may form part of the process in developing the Concept Framework Plan. Whilst we can understand the desire to reference here, we do not consider it appropriate for a plan to be included or for the specific spatial extent to be stated at this stage. We consider that this could be misleading to readers of the Plan. Part 2 – It is not clear what 'site specific requirements to the south and west boundary of Site R2' is referring to. Is this referring to the site specific requirement under Green Belt within Appendix 6? If so, this should be made clearer. Additionally, it also covers ONG.R1 not just ONG.R2. It is also not articulated on Plan 7.7. which is an extract from Appendix 6 which has been amended. We would also suggest it helpful to provide context as to what a Concept Framework Plan is and for instance the requirement that this plan is produced by wide range partners, considered/ informed by QRP and requirement for it to be endorsed prior to determination of any application. This may fit well in second paragraph of the supporting text 7.7.
ONG-CT1	Local Green Space	Without maps of the locations and extent of these proposed green spaces it is not possible to consider whether they are compatible with the strategic policies of the Local Plan	Part 2 of the policy is not compatible with National Policy in this regard, which should treat LGS as Green Belt. It does not preclude any development at all.	The supporting text refers to a 'Ongar Local Green Space Assessment'. We will need to review this document against the Local Green Spaces as proposed as part of this policy. Part 2 - Suggested amends have not been incorporated within this Policy, therefore the Council's initial concerns remain.
ONG-CT2	Community, Cultural, Leisure and Sports Facilities	Policy D 2 Essential Facilities and Services. This policy is broadly compatible with Policy D 5 subject to the comments in 'Further Comments' It should be noted that Main Modifications are proposed to Policy D 2.	Part 2 of the policy is a statement of information rather than a policy and simply states a short list of facilities considered to be of particular importance to local provision. Consideration could be given to seeking to designate these named facilities as Assets of Community Value to increase levels of protection.	There have been no changes to the wording of this policy. Initial comments remain.
ONG-CT3	Movement	Policy T 1 Sustainable Transport Choices. This policy is broadly compatible with Policy T 1. It is reasonable for a NDP to seek to set its own parking standards. It should be noted that Main Modifications are proposed to Policy T 1.	Part 1 'must' ought to be replaced with more flexible wording. Part 2 it is not clear why one would separate the requirements to those involving the creation of 'new layout' nor is it clear entirely what 'new layout' means. Also, it is not clear whether in speaking of 'footpaths' the reference is to rights of way that may cross countryside or footways accompanying roads. Part 3. Is not written as a policy – it may better read as follows with new wording underlined and deletions struck through " <u>When considering</u> For employment development likely to generate movements by heavy goods vehicles, particular attention must <u>will</u> be paid to the impacts of such vehicle movements on the town centre, and its historic environment in terms of noise, disturbance, congestion and attractiveness to <u>users of the high street shoppers</u> "	Part 1 – 'must' has not been replaced with more flexible wording. Part 2 – wording of the policy has been amended to read 'new road layout'. PROW has been added to the first bullet for clarification. Part 3 – wording of the policy has been amended to reflect Council's suggested wording with the exception of 'must' to 'will' Part 4 – apologies but we did not clarify within the last round of feedback that this requirement is in conflict with the emerging Local Plan which requires that all new parking spaces provided as part of a development must provide direct access to an electric vehicle charging

			Part 4 is somewhat confusing. Should it read ‘For parking areas of more than 10 spaces...’	<p>point (this was discussed at Examination Hearings and will be clarified via a proposed MM to Policy T1).</p> <p>The text in this section refers to Policy SP3 but it would be helpful to also draw on Policy T1 Sustainable Transport Choices. There is reference in the supporting text to the 1998/2006 Plans which we feel can instead be replaced with just Emerging Plan rather than having both refs.</p> <p>The Council also queries whether there is scope to make any greater connections between this Policy and those for Sustainable Design and Chipping Ongar High Street, particularly in relation to sustainable/ active travel etc?</p> <p>The Council notes reference to engagement with Essex County Council in respect of possible improvements to public transport (p.65) and thought it might be helpful to make the connection that EFDC now has a Sustainable Transport Officer (Stephen Lloyd-Jones). Stephen is heavily engaged with the Council’s Climate Change Action Plan particularly in relation to supporting increased walking, cycling, public transport and electric vehicle charging etc.</p>
ONG-CT4	Infrastructure Priorities	<p>Policy D 1 Delivery of Infrastructure.</p> <p>The policy is, in theory, broadly compatible with Policy D 1 subject to the comments made in ‘Further Comment’. However, it is likely to be ineffective as a development plan policy.</p> <p>It should be noted that main modifications are proposed to Policy D 1.</p>	The policy sets priorities for the provision of infrastructure through S106 contributions for the neighbourhood area. This is a reasonable aspiration but any S106 requirements must meet three tests - necessary to make the development acceptable in planning terms directly related to the development; and fairly and reasonably related in scale and kind to the development. Therefore, the ability to prioritise collection of monies for those purposes is restricted and this could make the policy ineffective and therefore not compatible with National Policy. In addition Infrastructure delivery is taken from the IDP which is a ‘live’ document and therefore subject to change. This further enhances the view that a prescriptive policy would be ineffective.	Some minor wording amends to make the infrastructure items more specific. Council’s initial comments remain.
ONG-CT5	Footpaths and Cycle Route	<p>Policy T 1 Sustainable Transport Choices. It is not incompatible with Policy T 1 subject to the comments in ‘Further Comments’ However, it is not possible to understand the impact of the proposal without seeing the protected route for the footpath.</p>	<p>Part 1 – ‘footpath’ should be defined, is it a public right of way or a path accompanying a road?</p> <p>Bullet 2 – it is unclear why high enclosures or blank walls should be avoided if the footpaths are rights of way, or accompanying a road since for example, garden walls are a common feature.</p> <p>It is not likely that a proposal for a new footpath will pass examination without identifying how this will be funded and implemented.</p>	<p>Part 1 – Footpaths have been defined under ‘interpretation of ONG-CT5’. Defined as ‘footways adjacent to roads and PROWs’.</p> <p>No changes have been made to bullet 2 of the policy.</p> <p>Part 2 - There is no accompanying map showing the route the NP wishes to safeguard for a PRoW. Council’s initial concerns remain.</p>