

# Ongar

Town Council

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## MINUTES

Minutes of a meeting of the Planning & Environment committee.  
Held on 15<sup>th</sup> February 2024 at 7.00pm at the Council Offices, Bansons Way CM5 9AS.

### **PLN13/24 Those present and apologies for absence**

Chair: Cllr Mendoza

Councillors: Gunn, Eydmann, Barrell, Walton, Feetham, O'Neill, Roberts, Cole

Also present: Planning Clerk, Press officer,

Apologies for absence received from Cllr Acornley

### **PLN14/24 Declaration of Disclosable Pecuniary Interests**

None received.

### **PLN15/24 Public participation**

No members of the public were present.

### **PLN16/24 To agree the minutes of Planning Committee meeting minutes of 18<sup>th</sup> January 2024**

Proposed Cllr Gunn seconded Cllr Walton (abstentions from Cllrs Cole, Mendoza, Roberts, Acornley as they were not present at that meeting) carried unanimously from the remaining councillors present.

### **PLN17/24 Correspondence**

None received.

### **PLN18/24 To consider planning applications: -**

#### **[EPF/0129/24](#) – Uplands, Toot Hill Road, Ongar**

Erect a single storey rear extension, removal of the front elevation bay windows and extend the front elevation wall with new windows, and infill / extend the former recessed main entrance walkway.

**Objection: Proposed Cllr Eydmann seconded Cllr Barrell carried unanimously.**

The Council believes that the proposed loss of bay windows may conflict with planning guidance in terms of loss of character and would not be in keeping with the local area. The Council requests that EFDC planning committee takes this into consideration when reviewing the application and in reaching a decision.

#### **[EPF/0135/24](#) – 33 Great Stony Park, High Street, Ongar**

Erection of an ancillary garden room

**No objection.**

**EPF/0174/24 - Essex House, 118 High Street, Ongar**

Prior approval change of use from Commercial Class E to 6 dwellings.

**Objection: Proposed Cllr Roberts seconded Cllr O'Neill carried unanimously.**

The proposed works of 6 dwellings is an over intensive use of the building with only the bare minimum described internal space standards. • It offers no outside amenity space whatever and no car parking spaces. • Cycle stores and bin stores would have to be accommodated within the building, because the small frontage on to the High Street is too narrow to accommodate sufficient cycle store and refuse bins without being out of character and harming the street scene in the Conservation Area, and the Setting of the Locally Listed (EFDC) Building. Furthermore, cycle stores and bins would block the limited natural light to the proposed basement use as a habitable room. (see below) • A structural engineer's report should be required to support the large number of internal structural walls being proposed to be removed. The proposed internal layout would harm the "aesthetic and historic" aspects as listed in EFDC's List of Buildings of Local Architectural or Historic Interest, including changes to the entrance hall and the division of some rooms by splitting the only window.

• It is also questionable as to whether fire escape routes are sufficient for the 4 habitable floors and complex access routes. • The proposed works are also Contrary to a number of LP and ONP policies listed at the end. 2. Natural Light in all habitable rooms. Permission was recently refused (EPF/1192/23) to install a number of roof lights, including as causing harm to the appearance of the "locally listed building that is a landmark location in Ongar, along with the wider character of the conservation area". • Thus the habitable rooms of kitchens for 3 of the flats (which are in the roof space on the third floor) will have no natural light. • The proposed basement bedroom in a 4th flat, will have limited natural light. No size details were provided on the plans. However, on inspection outside the building, it is less than 1foot in height from the ground, with a grill/manhole extending right up to the building. 3. Transport and highways impacts. As stated by the applicant, the site has no car parking or vehicular access, so cannot comply with Minimum Parking Standards for Use Class 3. • Furthermore, Ongar civil parish is not considered as a 'sustainable location' with respect to considering lower than the Minimum Parking Standards for residents. (see letter from Essex Highways Oct 2020 in respect of refusal for flats with insufficient parking at Ongar bridge; refusal of flats/houses without sufficient parking at the former doctor's surgery in Ongar High Street. ONP provides evidence (from ONS) of the reliance on cars by Ongar residents due to the lack of local employment and sufficient reliable public transport for commuters. • As stated by Cole Easdon para 3.3 " Local parking restrictions mean that it will not [be] practical for residents to own a car and keep it in the vicinity of the site", • The minimum requirement of six cycle parking spaces (Easdon para 3.5) cannot be provided within the curtilage fronting the High Street, because o there is insufficient space without cutting off light to the proposed basement window o it would be a cluttered public realm contrary to ONG-ED2 Part 1 d within Chipping Ongar Conservation Area Thus they would have to be located inside the entrance hall for example, but the changes to a narrower hall would prevent this. • Similarly, the requirement for waste bins cannot be located in the shallow space fronting the High Street and would have to be located within the building, in a space suitably designed to prevent any public health risk. The suggestion that only two bins would be required for 6 flats has underestimated that required for each household for 2 weekly collections. Contrary to EFDC Policy DM 11 Part A (i) • Should the cycles and bins be left outside, neither would be easily secured, hence Essex Police requiring more information from

the applicant. • Essex Police still require secure access details including for delivery of post before Eligibility of Prior Approval could be ascertained.

4. Flood Risk. Although the Flood Risk Assessment does not refer to the current adopted Local Plan (March 2023) or Ongar Neighbourhood Plan (2022) and the homes are considered as 'more vulnerable' . Our concern is that there is no mention of the underground springs in the area, or the surrounding buildings whose basements are known to regularly flood when the water table is high or there is particularly heavy downpours. The report does map 'medium' risk of surface water flooding in Castle Street and the High Street at the location of Essex House. With climate change, increased frequency of 'storm' conditions are expected to rise. Similarly, the site is subject to groundwater flooding • There is no mention of how a basement being vulnerable to flooding and damp is to be kept dry for a habitable room (bedroom) and • How damp proofing would not cause additional problems of flooding and damp to neighbouring buildings, which are on lower ground 5. Impact on the character and sustainability of the Conservation Area. The applicant claims that the scheme is using existing windows and other external features. However, there are two main areas which would adversely affect the character and sustainability of the Conservation Area as follows: • The loss of viable town centre services will harm the viability of the town centre. Having removed existing viable businesses, no commercial units were advertised • Positioning of a cycle store for 6 cycles and store for sufficient waste bins for 6 flats, both in the shallow frontage to the High Street, is out of character and contrary to ONG-ED2 policy for Chipping Ongar Conservation Area • The internal alterations involving dividing rooms with walls abutting window panes facing the High Street and also in Castle Street, will be visible and detract from the detailing of the Locally Listed Building. The fenestration is commented on in the Listing at EFDC. [it was noted on 7th November that works have already started to divide rooms as seen in the bay window facing Ongar High Street] It should be noted that there is already an enforcement notice to replace the modern PVC windows and reinstate windows of the original design and materials. In conclusion, although this is an application for Prior Approval of change of use to C3, the details provided do not satisfy the conditions for a Prior Approval and also do not comply with a number of adopted Local Plan and Neighbourhood Plan policies including: EFDC Local Plan (adopted March 2023) T1 Part E (iv), DM11 Part A (i) Ongar Neighbourhood Plan (2022) ONG-ED2 Part 1 d , ONG-ED3 Part 3,ONG-CT3 Part 1 b&d.

**PLN19/24 FOR INFORMATION**

None received.

**PLN20/24 To discuss the variances between planning application decisions of EFDC and OTC**

Defer pending additional information to be provided by the Planning Clerk.

**PLN21/24 To note planning decisions**

**EPF/2667/23 - 20 The Gables, Ongar**

Conversion of existing garage into habitable space and installation of new window to ground floor flank wall.

Approve with conditions. *1. The development hereby permitted shall begin not later than three years from the date of this decision. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended). 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 04/12/23, A., A.01, A.02, A.03, A.04, A.05, A.06, A.07, A.08, A.09, A.10, A.11 Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans. 3. The converted garage hereby permitted*

*shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling and shall not be used for any primary residential accommodation. Reason: The development does not satisfy the standards considered acceptable by the Local Planning Authority for a separate unit of accommodation, in accordance with Policies DM9 & DM10 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. 4. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form. Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.*

**EPF/2874/22 - 8 Kimpton Close, Ongar**

Construction of a two storey three-bedroom house (Revised scheme to EPF/2408/20). Approve with conditions. **1.**The development hereby permitted shall begin not later than three years from the date of this decision. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended). **2.** The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 4066\_PL501, 4066\_PL502, 4066\_PL503, 4066\_PL504, 4066\_PL505, and 4066\_PL506. Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans. **3.** Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development. Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **4.** 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. Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **5.** Tree protection shall be installed as shown on Andrew Day Arboricultural Consultancy Ltd 'Tree Protection Plan' Rev A (dated 19th December 2022) prior to the commencement of development activities (including any demolition). The methodology for development Page 3 of 6 (including Arboricultural supervision) shall be undertaken in accordance with

the submitted Tree Survey/ Arboricultural Method Statement reports. Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **6.** An assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved. Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **7.** Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service. Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with Policies D5, DM2, DM9 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **8.** 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. Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **9.** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. Reason: To ensure a satisfactory appearance in the interests of visual amenity of the Page 4 of 6 area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **10.** 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 08:00 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. Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **11.** 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. Reason: To avoid the deposit of

material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**12.** 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 A, AA, B, E & F of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority. Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**13.** 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 Class L of Part 3 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority via a Full Planning Application. Reason: The ensure further consideration is given with regards to the effect on the Parking Stress within the Locality and the living conditions on adjoining properties, in accordance with Policies T1 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **14.** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no internal alterations to create any internal openings on the shared party wall with No.8 Kimpton's Close (Donor House) shall be constructed without Page 5 of 6 the prior written agreement of the Local Planning Authority. Reason: The ensure further consideration is given with regards to the effect on the living conditions on adjoining properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**EPF/2323/23 - 9 Moreton Road, Ongar**

Single storey side and rear extension.

Approve with conditions. **1.**The development hereby permitted shall begin not later than three years from the date of this decision. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

**2.** The development hereby permitted shall be carried out in accordance with the following approved plans: DECEMBER2023-9MR-02. Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans. **3.** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**4.** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the side elevations, without the prior written agreement of the Local Planning Authority. Reason: The ensure further consideration is given with regards to the effect on the living conditions on adjoining properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF. **5.** Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area. Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**EPF/1375/23 – 22 Green Walk, Ongar**

Removal of existing outbuildings and garage replace with creation of new 1 bedroom bungalow.

Refuse. **1.** The proposed bungalow is considered to be overdevelopment due to its appearance of being squeezed into the site area and therefore encroaches on to the boundary shared with no.24 Green Walk and no.16 The Spinney and is therefore not in accordance with policies DM9 and DM10 of the adopted Epping Forest Local Plan (2023). **2.** The proposed dwelling would not be set back from the main road and would have an appearance that is discordant with the established character and appearance of its context and is therefore not in accordance with policy DM9 of the adopted Epping Forest Local plan (2023). **3.** The proposal's proximity to the boundary of neighbouring occupier at no.16 the Spinney would appear contribute to an increased sense of enclosure for existing and future occupiers and is therefore contrary to policy DM9 of the Epping Forest Local Plan (2023). **4.** The applicant failed to provide an ecology assessment in accordance with the Local Planning Authority's validation requirements. **5.** Since there is no mechanism to secure the necessary financial contributions in accordance with the adopted recreation and air pollution mitigation strategies, the proposal fails to demonstrate that there would not be an adverse effect on the Epping Forest Special Area of Conservation. The proposal is therefore contrary to policies DM2 and DM22 of the adopted Local Plan (2011-2033). Informatives: **6.** This decision is made with reference to the following plan numbers: NEW DWELLING, Design and Access Statement prepared by English Architectural, Street Scene - Land to the rear of 22 Green Walk Ongar, Air Quality Note: HRA Screening prepared by Independent Air Quality Solutions (IAQS), PP-12208357v1 Location Plan, PROPOSED ANNEXE - Rev 2. **7.** The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Council's website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.

**EPF/2025/23 – Uplands, Toot Hill Road, Ongar**

Single storey rear extension, loft conversion, minor alterations.

Refuse. **1.** The proposed raising of the ridge height to accommodate the loft conversion is considered to result in an increased mass and prominent feature discordant with the established character and appearance of the main dwelling and is not in accordance with Policy DM9 of the Epping Forest Local Plan (2023) and the NPPF 2023.

Refuse. The proposed raising of the ridge height to accommodate the loft conversion is considered to result in an increased mass and prominent feature discordant with the established character and appearance of the main dwelling and is not in accordance with Policy DM9 of the Epping Forest Local Plan (2023) and the NPPF 2023.

**EPF/2769/23 – Land off Toot Hill Road, Greensted Green, Ongar**

Prior approval for a steel framed agricultural storage building.

Refuse.

**EPF/2598/23 – BT Telephone Exchange, Bansons Lane, Ongar**  
Installation of ventilation cowls to existing window openings.  
Approve with conditions.

Noted.

**PLN22/24 To note enforcement appeals**  
None received.

**PLN23/24 Update from ONPCG on relevant planning matters**  
Nothing to report.

**PLN24/24 Matters for information**

**PLN25/24 Items for next agenda**  
None received.

**Meeting closed at 7.27pm**