



**Minutes of a meeting of the Planning and Environment Committee on 29<sup>th</sup> January 2025 at 7.30pm  
Held at the Council Offices, Bansons Way CM5 9AS**

**PLN14/25 Those Present and Apologies for Absence**

Chairman: Cllr Walton

Councillors: Feetham, Eydmann, Barrell, Roberts, Gunn, Mendoza\*, Vaz\*, Reay

Also present: A Jones, Meeting Clerk, Press officer, 4 members of the public\*

Apologies: Cllr Cole

Other Absences: Cllrs Acornley, Webb, O'Neill

EFDC Cllr Dadd had offered her apologies.

Proposed: Cllr Gunn, Seconded Cllr Roberts. Carried Unanimously.

*\* for part of meeting*

**PLN15/25 Declaration of Disclosable Pecuniary Interests**

Cllr Barrell declared a non pecuniary interest in EPF/0040/25 Shelley Regeneration, confirming she would not take part in any vote on this agenda item.

**PLN16/25 Public participation**

There were four members of the public present regarding EPF/0040/25, and it was agreed to allow these individuals to address the committee under agenda item PLN20/25.

**PLN17/25 Reports (maximum 5 minutes)**

There were no written reports received. Cllrs Mendoza and Feetham advised there had been a meeting of the ONPCG sub-committee on 27<sup>th</sup> January, but there was no report to give as it was a general update.

**PLN18/25 Minutes of Planning Committee meeting of 15th January 2025**

The Chairman advised one proposed amendment to draft minutes, under PLN12/25 R6 which should state 'Not formally re-submitted'. Subject to this amendment, the minutes of the planning committee meeting were approved as a true record.

Proposed Cllr Eydmann, Seconded Cllr Reay, and carried unanimously.

**PLN19/25 Correspondence**

One item of correspondence had been received regarding EPF/0040/25, which the Chairman confirmed he would discuss under agenda item PLN20/25.

**PLN20/25 To consider planning applications:**

**EPF/0040/25 – Shelley Regeneration, Ongar**

Application for Demolition of existing mixed use block (No's 20 - 34 including 4 commercial units and 4 residential units) and garages. Followed by the construction of 26 affordable homes (Passivhaus standards), 3 replacement commercial units (Class E)

The meeting Clerk completed a short presentation on the proposals on a live basis during the meeting, following which the Chairman provided a summary of the written correspondence received regarding the proximity of block F to neighbouring properties, and maintenance of the orchard, the latter of which has been passed on the Clerk to investigate. It was agreed the Clerk should be tasked with contacting the resident advising them to contact EFDC regarding the Orchard as they were the landowner.

The Chairman confirmed both himself and Cllr Reay had visited site earlier in the day, and had spoken with the tenants of the commercial units (block A) which were a newsagent, a hair salon, and a takeaway. Cllr Barrell advised the fourth unit was presently used for DPD storage. The chairman also confirmed that the residential units in block A were not affordable housing, but were commercially rented properties in conjunction with the ground floor units. These tenants advised they had not been approached by EFDC regarding this proposal. The Chairman provided a summary of the concerns raised to himself and Cllr Reay. The Chairman also advised it was noticed during the site visit that there were large areas that were fly tipped and full of litter around the bin stores. He also confirmed that each block had an associated area of outdoor storage space, some of which is used for washing line space, much of which is being lost to either parking or landscaped greenspace as part of the current proposals.

The Chairman invited members of the public present to address the Committee. Their main concerns included the following:

- The complete lack of consultation or engagement with the commercial unit tenants on the proposals
- The lack of, and location of, parking provision for the new commercial units
- The proposed facia of new commercial units, which does not clearly identify they are shops
- The individual futures of the current businesses housed within the units (especially after considerable investment has been made)
- The impact on these business and associated families
- The suggestion of temporary business units whilst works takes place
- Removal of trees
- The loss of green space
- The number of parking spaces proposed for retained blocks C, D and E
- Lack of information / maintenance / future of the Orchard area

Cllr Eydmann wanted it recorded that there had been previous issues in terms of engagement between EFDC and OTC, especially in terms of process and policy. The Chairman advised that OTC was currently in contact with EFDC on this matter, which extended beyond this application and covered the wider issue of development in Ongar. The Chairman reminded Councillors that the meeting scheduled to take place with the developers on 24<sup>th</sup> January had been cancelled by the applicant. Cllr Mendoza expressed a general concern that the civil servants are not servants, and are instead dictating policy with the Councillors not doing their job. There was a general acceptance by all those present that both OTC and residents had been treated very poorly by EFDC, however this was a wider issue than this particular planning application and should be considered at the February planning meeting.

The Chairman asked for clarification as to the process when EFDC is the applicant or landowner of a particular planning application, as it seems to be a clear conflict of interest. It was noted that in these circumstances, EFDCs policy is that any such

application must be considered by a committee of the Council to ensure public scrutiny, with no referral needed to any outside body.

Following further discussion, the following motions were proposed:

**MOTION 1**

OTC to write a rapid response to EFDC highlighting the issues of engagement, requesting a pause in the application so that sufficient engagement can be undertaken as well as requesting the missing playground plans.

Proposed Cllr Gunn, Seconded Cllr Reay. Unanimously agreed.

**MOTION 2**

OTC object to EPF/0040/25 (with a holding objection specifically related to the play area), confirming general support for the principal of Shelley Regeneration but setting out the significant concerns the Committee has as to the approach. The objection to the application should be based on all matters discussed and agreed during the meeting (the full objection being appended to these minutes)

Proposed Cllr Gunn, Seconded, Cllr Reay. Unanimous.

**MOTION 3**

Clerk to investigate and confirm to OTC Planning Committee the terms of any agreement with EFDC regarding Shelley Park. This to be discussed at the next Planning meeting. OTC write a letter to EFDC following the next planning meeting, focusing on two issues.

1. The stewardship of Shelley Park going forward and understanding the impact of any proposed plans for the recreation ground on the cost to OTC in terms of its maintenance.
2. Consider the holding objection specifically relating the proposals for the Play Area as part of EPF/0040/25, subject to missing plans being received (as requested in motion 1)
3. Highlighting the impact on local residents losing their accommodation and commercial businesses, and the lack of engagement with residents, and being their voice.

Proposed Cllr Roberts, Seconded Cllr Gunn. Unanimous

**PLN21/25      To note planning decisions**  
None received.

**PLN22/25      To note enforcement appeals**  
None received.

**PLN23/25      Matters for information**  
None received.

**PLN24/25      Items for next agenda**

- Playground detail regarding EPF/0040/25
- Poor consultation by EFDC with residents and OTC regarding EPF/0040/25
- Identification of possible Grey Belt sites in the Parish
- Reviewing governance of planning committee
- Greenstead Road Conservation Area
- Pedestrian crossing (possibly March)
- Poor consultation by EFDC with residents and OTC
- Shelley Park agreement / stewardship

## Objection to EPF/0040/25

Whilst as a general principle OTC fully supports the idea of the Shelley Estate Regeneration project, it has significant concerns as to the current approach being taken by the applicant. This, taken in conjunction with a number of policy failings, culminates in OTC **OBJECTING** to this application on the following grounds:

### Parking Proposals:

The current situation on site is that there are a number of garages (estimated to be 46 based on plan numbered 29898A\_1-003 contained within the Transport Assessment and the site plan submitted, albeit it is not clear if these garages are linked or leased to any of the tenants on the current site), associated hardstanding located by these garages, and a number of unallocated parking spaces (thought to be 17). Whilst it is accepted that these garages are generally in poor condition, the failure to consider the impact on losing these garage spaces not only for the Shelley estate but for the surrounding roads, has the potential to exacerbate what is recognised within the Transport Statement as a 'highly stressed parking situation'. No evidence has been provided detailing the use of these 46 garages, so OTC is unable to establish if the loss of the garages has the potential to relocate up to 46 vehicles on local roads. This needs to be addressed. In addition, OTC believes that the totality of the current available parking for this general location is greater than the total of parking under the proposed scheme. What has been represented as an increase is, when viewed against the wider area, in fact a decrease.

With regard to specific parking provision for the proposed blocks, there are a number of issues that need to be addressed:

### Block A

1. Residential parking has been proposed and located behind the block, to the east, and directly in front of the block. With regard to the spaces located in front of the block, there is no information as to how they will be marked showing they are specifically for residents of block A only. Furthermore, without some type of restriction or management of these spaces, their location directly in front of the commercial aspect of the block actively encourages users of the commercial services to park there. This has the potential to create friction within the community. With regard to spaces located behind block A, there is the suggestion within the Transport Assessment that these spaces could be a 'temporary holding area for day-to-day delivery vehicles'. It is unclear how an allocated parking space for a resident can be used temporarily by delivery drivers without once again this giving rise to potential conflict and friction, especially given there is currently no indication of what the units would be, and thus no indication of how long any delivery drivers may be there for. This situation is unacceptable. By trying to resolve one situation (replacing unallocated parking with allocated parking) it is in fact creating another.
2. With regard to the 12 parking spaces for commercial use of block A, OTC is at this stage unable to ascertain if this parking provision is sufficient. Within the updated and approved EPOA Essex Parking Standards there is different guidance in terms of parking provision for Class E, ranging from 1 space per 10sqm to 1 space per 60sqm. The total size of the commercial units is 271sqm, meaning the required number of spaces will be between 5 and 20 (the proposal is for 12). Furthermore, there is no provision for parking for the staff who will work in these commercial units. Given that these parking spaces are already used by local residents of the Shelley estate, and taking into account the possible class E uses along with the lack of staff parking for the units, the proposed number of 12 is wholly inadequate and falls considerably short of the approved parking standards. This would be contrary to the ECC adopted parking standards, the updated and approved EPOA Essex Parking Standards, and EFDC Local Plan Policy T1 Sustainable Transport Choices Part E(iv).

### Block B

The proposal of 17 spaces falls short of the minimum requirement of 18 spaces (if rounding up visitor spaces, which is understood to be the current principle). This is contrary to adopted parking provision for ECC and EFDC Policy T1 Sustainable Transport Choices part E(iv).

### Blocks C, D and E

The scheme seeks to re-provide one-space for each of the 24 existing apartments in blocks C, D and E to ensure that a 'balanced approach is taken in light of the landscape-led scheme'. This is assuming each apartment in blocks C, D and E are one bedroom, however OTC is aware this is not the case, with the block also having two and three bedroom properties. In addition, there are no proposed visitor parking spaces to these blocks (the minimum number for which should be 6 spaces). As such, these proposals are contrary to adopted parking provision for ECC, the updated and approved EPOA Essex Parking Standards and EFDC Policy T1 Sustainable Transport Choices part E(iv).

### **Amenity Space:**

The provision of parking spaces for block B will remove a considerable amount of open green space currently utilised by blocks C and D for storage, washing lines, and functional uses to support day to day living. This loss of functional space will have a detrimental impact on the living conditions for the current occupants of these blocks. This is contrary to EFDC Local Plan Policy DM9 High Quality Design part I.

### **Housing Mix:**

The proposed housing mix provides for 14 x 1 bedroom apartments (54%), 9 x 2 bedroom apartments (34%) and 3 x 4 bedroom houses (12%). In order to determine the appropriate mix the applicant is required to take into consideration the current snapshot of the housing data taken from the District Council's housing register, as well as the data from the Strategic Housing Market Assessment (SHMA 2015 and updated in 2017) which shows that at a district level the highest demand is for 2 bedroom units and 3 bedroom homes. The Housing Mix Guidance Note published May 2021 suggests that the specific requirements for Ongar in terms of affordable housing are as follows:

- 1 bedroom homes - 29%
- 2 bedroom homes - 50%
- 3 bedroom homes - 16%
- 4 bedroom homes - 5%

The Ongar Neighbourhood Plan also specifies the provision for larger family units, and the proposals submitted by the applicant are heavily weighted towards the provision of smaller 1 and 2 bedroom homes, thus failing to meet the requirements of Ongar's need. As such, the proposed housing mix is contrary to Policy ONG-RR3: Housing Mix and Standards of the Ongar Neighbourhood Plan, and Parts A and B of EFDC Local Plan Policy H1 Housing Mix and Accommodation Types.

OTC would also like to raise concerns regarding intensification of the Shelley Estate to provide further affordable housing. The site already has 24 affordable homes and 4 privately rented properties above the commercial units. The new proposals would result in the loss of the 4 privately rented properties, and there being 50 affordable homes in a localised area. The applicant has not identified the tenure split, however page 29 of the Ongar Neighbourhood Plan sets out that planning applications must justify the mix of new homes to be provided, and explain how the mix reflects evidence of need locally in the parish including family homes and downsizers. This has not been completed. Furthermore, page 15 of the EFDC Housing Strategy 2023-2027 under 'Estate Regeneration' sets out that Priority 4 of the Councils agreed five key housing priorities is 'Creating great places where Council housing and **mixed tenure** estates are viewed as privileged parts of the district where people want to live, work and prosper'. OTC supports a balanced mix of housing types in its community. By ensuring a diverse range of housing options, social cohesion can be promoted and avoid over-concentration of any one type of housing. This approach helps create a more inclusive and sustainable neighbourhood.

### Proposals for changes to Play Area and Recreation Ground:

1. OTC is unable to adequately consider the proposals for the Shelley play area and recreation ground due to missing plans. Within the submitted plan numbered 2273-P-1201 P2 it states '*EXISTING PUBLIC OPEN SPACE & PLAY AREA TO BE RETAINED & IMPROVED, SEE DRAWING 2273-P-1-003 FOR FURTHER DETAILS*'. This plan is missing. In addition, page 80 of the Design and Access Statement states that the existing play equipment is to be retained, repositioned and made good as required, referencing drawing 2273-P-1240 for further details, however this drawing is also missing. As such, OTC issues a **HOLIDNG OBJECTION** to this particular element of the application until these plans have been received and can be considered.
2. OTC has concerns regarding the proposed 'dog leg' path on the eastern side of the recreation ground, which reduces the line of sight end to end of the current footpath, restricting active surveillance. This presents a safety issue to those using the path. In addition, the proximity of the path to the ground floor apartment B04 (being only 2m) presents a potential safety issue to the occupiers of this unit. These issues are contrary to paragraphs 8.11, 8.13, 8.18 of the Secured by Design Home Guide 2024<sup>1</sup>, and EFDC Local Plan policy DM9 High Quality Design (part A(v)).
3. OTC currently maintains and manages both the play area and recreation ground on the Shelley estate. Neither the applicant nor EFDC has consulted with OTC with regard to provision of the proposed new play facilities, their location, or how these proposals may impact the ongoing costs to maintain this area.

### Employment:

The proposals as submitted result in the loss of 1 commercial unit. This is contrary to Policy ONG-RR1: Employment and Rural Diversification of the Ongar Neighbourhood Plan which supports the creation of employment opportunities, and EFDC Local Plan Policy E1 Employment Sites Existing Employment Sites (Designated and Undesignated) Part A.

### Refuse:

Proposals suggest that a bespoke brick refuse store would be integrated into the courtyard boundary for existing blocks C, D and E, however there are no elevations or plans showing the construction of the store, nor details of its capacity. The Planting Strategy plan numbered 2273-P-1310 seems to suggest the store would house 8 larger bins and 4 smaller, and would be around 12m wide. These bins would be required to serve 24 properties. EFDCs Waste and Recycling Good practice guide for developers sets out that the size of the bin store should be large enough to accommodate the appropriate numbers of bulk bins required to serve the flats (which it has been assumed has been applied in this case), and that the entrance apron to the bin area / store should be designed so that it cannot be obstructed in any way by parked cars, with access to the bin store being available at all times for the bins to be emptied by the refuse or recycling crews. From the plans submitted, the brick refuse store would be located in very close proximity (less than half a metre) from the adjacent car parking, which suggests that the open element of the bin store would be facing the newly created central garden space. This would not create a pleasant and comfortable area in which residents could relax and socialise as is being suggested by the plans. Without clear plans which detail the proposals, OTC is unable to ascertain if the proposed bin store is sufficient in terms of need, how the bin store would be designed, and if the bin store would have a detrimental impact on residents' wellbeing. As such it is believed the proposals could be contrary to Ongar Neighbourhood Plan Policy ONG-ED4: Sustainable Design (Part g) and EFDC Local Plan Policy DM9 High Quality Design parts A(iii) and I.

### Cycle Storage:

Whilst OTC is pleased to see secure, covered cycle storage being provided for blocks C, D and E, its somewhat remote location would not encourage residents to use it. If not used, it will become an

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<sup>1</sup> [HOMES GUIDE May 2024.pdf](#)

unused, derelict space which could attract antisocial behaviour. It is suggested that such storage facilities should be split between blocks, with easier and closer access to encourage use.

### **Height and Design:**

Whilst OTC supports the Passivhaus principles, the proposed design and heights of both Blocks A and B fails to complement the rural character of the Ongar Parish and the specific character of the immediate context of Shelley. This is contrary to Ongar Neighbourhood Plan Policy ONG-ED1: Local Character and Design Part a. In addition, the design and positioning of Block B is such that the privacy and amenity of the gardens of 36 and 38 Shortland Avenue is negatively affected. This is contrary to Ongar Neighbourhood Plan Policies ONG-ED6: Landscape and Amenity Buffer Zones, ONG-ED4: Sustainable Design (part 1(c)), and EFDC Local Plan Policy DM9 High Quality Design Parts I(i), (iii), and (iv).

### **Shop Frontages:**

The proposed design of the commercial aspect of Block A does not clearly identify these are commercial units, with the plans looking more like a residential space. This is contrary to EFDC Local Plan Policy DM14 Shopfronts and On Street Dining Part A.

### **Informatives**

- There is a clear discrepancy in terms of security for the site, with some resident parking being secured by a gated element, whilst other resident parking not. No justification has been received as to why this gated element applies to just select few resident parking areas, and could affect the tenure blind requirements.
- Page 15 of the EFDC Housing Strategy 2023-2027 under the Regeneration heading states that 'We will continue to engage with local residents with major planned works'. This has not taken place.
- Whilst recognising the Ongar Community Orchard site lies outside of the red line application boundary, the applicant has used this as part of the central principle of design by creating a central axis connecting the orchard in the east of the site leading to the existing playground and playing field in the west. However, the plans do not detail what will happen with the orchard, without which the purpose of a central axis makes no sense. This is an EFDC owned piece of land, and needs to be addressed as part of any regeneration proposals.
- Parking provision where EV charges are provided must not be restricted for use by electric vehicles.