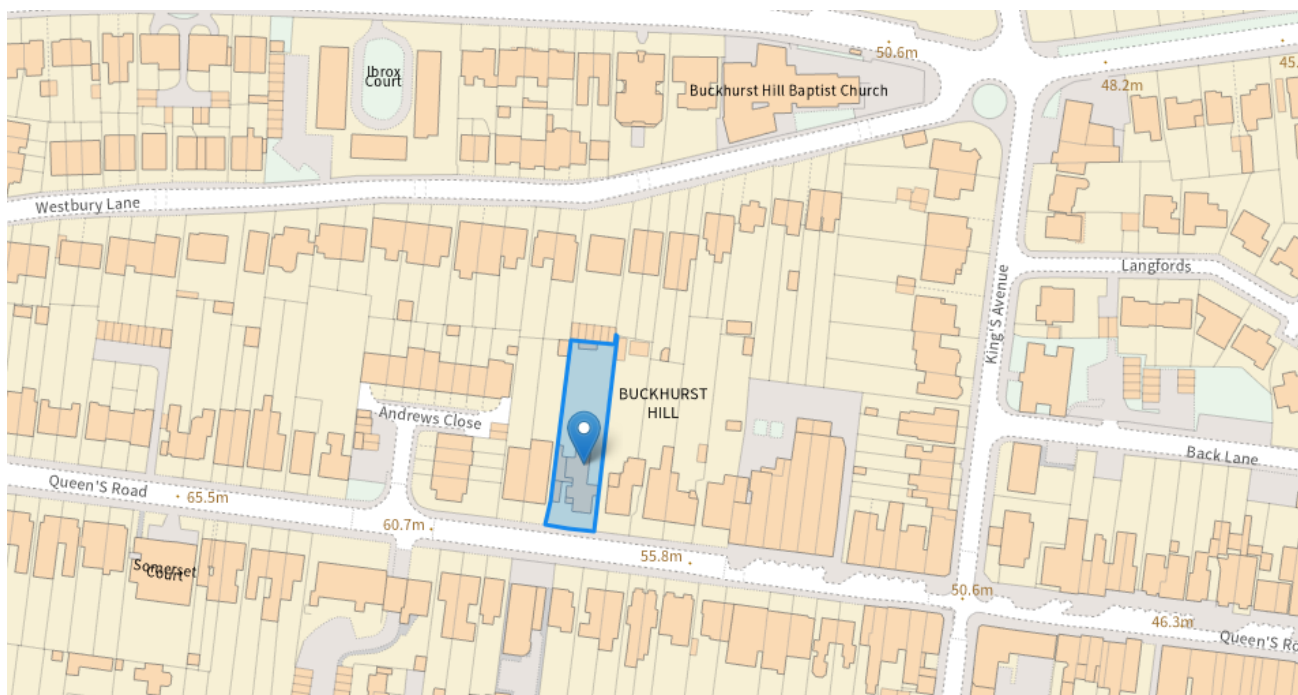




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Application
Number:

EPF/2472/20

Site Name:

91 Queens Road
Buckhurst Hill ,IG9 5BW

OFFICER REPORT

Application Ref: EPF/2472/20
Application Type: Full planning permission
Applicant: Mr S Moore
Case Officer: Cuma Ahmet
Site Address: 91 Queens Road
Buckhurst Hill
IG9 5BW
Proposal: Proposed demolition of the existing dwelling and the construction of a semi-detached pair of dwellings.
Ward: Buckhurst Hill West
Parish: Buckhurst Hill
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NxNp>
Recommendation: Refuse

PART 1

Members of Area Planning Sub-Committee South deferred this item to DDMC with a recommendation to refuse on the following grounds:

1. The existing building would qualify with the criteria of being a Non-Designated Heritage Asset (NDHA) as defined under paragraph 203 of the National Planning Policy Framework (NPPF, 2021). In the absence of planning benefits being demonstrated, the proposed development fails to outweigh the substantial/significant loss of a NDHA. Accordingly, the proposals are contrary to paragraphs 199, 203, 204 and 205 of the NPPF; Policy HC13A of Local Plan and Alterations (1998 and 2006) and Policy DM7 of the Epping Forest Local Plan (Submission Version) 2017.
2. The application has not robustly demonstrated that the proposals will not cause adverse harm to the integrity of the Epping Forest Special Area of Conservation. There are also no alternative solutions or imperative reasons of overriding public interest why the development should be permitted. Accordingly, the development is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Epping Forest Local Plan (Submission Version) 2017 and with the requirements of the National Planning Policy Framework 2021.

PART 2

Original and Addendum Officer Reports

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and an objection has been received from at least one non-Councillor resident material to the planning merits of the proposal. (Pursuant to The Constitution, Part Three: Scheme of Delegation from Full Council).

ADDENDUM REPORT PURSUANT TO CASE REFERENCE EPF/02472/20 – 91 QUEENS ROAD, BUCKHURST HILL, IG9 5BW

Background

1. The following addendum report is prepared following the Area Committee decision of the 6th July to defer determination of the above referenced case in order for officers to consider further 3rd party information relating to the potential historic and architectural significance of the existing dwelling.

2. The information provided subsequent to the meeting (on the 8th July) for officer consideration and the Senior Conservation Officer's (SCO) further review and recommendations are attached at Appendix A.
3. This addendum should be read in conjunction with the officer's considerations and recommendations also included further to this addendum.

Summary Analysis of Historic and Architectural Merits

4. In its review, the SCO has provided a succinct assessment of the building's suitability for inclusion on a local heritage list by applying the criterion advised by Historic England in addressing these matters which is known as Local Heritage Listing: Identifying and Conserving Local Heritage.
5. Notably, in terms of the building's rarity, architectural and artistic interest; group value, and landmark interest, the professional conservation opinion is that it would not qualify as a significant example in each instance. And, whilst it is acknowledged that some historic interest can be attributed due to its previous occupation by Vernon AM Robertson (an eminent British civil engineer), this on its own does not warrant or justify the building to be locally listed or considered as a non-designated heritage asset. In this particular instance, the applicant has acknowledged the historic interest indicated and agreed to appoint a plaque to commemorate the fact should planning permission be given.
6. To conclude, the SCO has concluded that the building demonstrably fails to satisfy the qualifying criteria of authenticity and architectural significance and therefore cannot be included into the Local List or be considered as a non-designated heritage asset."
7. Based on this advice, Members are referred to the original case officer recommendation previously reported which was for conditional approval subject to S106 (see Appendix B).

Description of site

The application site lies to the north side of Queens Road within the Buckhurst Hill Parish. The site currently comprises an extended detached 2-storey dwellinghouse with detached garage to the side and glazed conservatory in the rearmost part of the garden. The parent building appears to have been constructed in brick and finished in white render with plain tiles to its roof. Due to its hillside location, ground levels rise from the east to west.

A TPO (Strawberry Tree) is located to the front (southwest corner) of the site including several non-TPO trees located within the rear garden curtilage.

The property is located midway along Queens Road which extends from its junctions with High Road in the west to Victoria Road in the east. Generally, the road has a mixed character with incidence of mixed commercial/residential uses to both the western and eastern ends of the road. Architectural styles vary considerably, with examples of modern and older vernaculars. The application site is not designated within a conservation area nor is it protected by statutory listing or locally listed status.

Resident permit and non-resident parking controls apply in Queens Road between the hours of 10am to 5:30 pm Mondays to Saturdays (max stay 2 hours).

Description of Proposal

The proposals involve the demolition of the existing detached dwellinghouse in situ with a pair of semi-detached dwellinghouses.

The proposed semi-detached pair has been designed in a Victorian vernacular with robust symmetrical features to both the front and rear elevations. In terms of physical dimensions, the approximate height of the building(s) are 11.2metres to ridge level; 6.4 metres wide and 22 metres in depth.

The internal living accommodation is arranged over three floors; ground, first and roof each with a total of 5 bedrooms.

Each dwellinghouse will be provided with a garden/gym located at the rearmost part of the respective gardens measuring approximate dimensions of 5m (w) x 5m (d) and 5m (h).

The respective rear gardens will be landscaped with the front part assigned for car parking.

Relevant Planning History

EPF/2832/21: Partial demolition of the existing structure, extension at ground & first floor towards the rear & construction of a mansard roof. REFUSED 06/05/2022.

EPF/2441/19: Proposed demolition of the existing dwelling & the construction of x 8 no. new dwellings. REFUSED 27/05/2020.

Development Plan

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

- CP1 - Achieving Sustainable Development Objectives
- CP3 - New Development
- CP5 - Sustainable Building
- CP6 - Achieving Sustainable Urban Development Patterns
- CP7 - Urban Form and Quality
- CP9 - Sustainable Transport
- NC1 - SPAs, SACs and SSSIs
- H2A - Previously Developed Land
- H3A - Housing Density
- H4A - Dwelling Mix
- H9A - Lifetime Homes
- DBE1 - Design of New Buildings
- DBE2 - Effect of Neighboring Properties
- DBE3 - Design in Urban Areas
- DBE6 - Car parking in new development
- DBE8 - Private Amenity Space
- DBE9 - Loss of Amenity
- DBE11 - Sub-Division of Properties
- LL7 - Planting, Protection and Care of Trees
- LL10 - Adequacy of Provision for Landscape Retention
- LL11 - Landscape Schemes
- ST1 - Location of Development
- ST4 - Road Safety
- ST6 - Vehicle Parking
- I1A - Planning Obligations
- U2A - Development in Flood Risk Areas

U2B - Flood Risk Assessment Zones
U3B - Sustainable Drainage Systems

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight being afforded by your officers in this particular case indicated:

SIGNIFICANT WEIGHT AFFORDED TO FOLLOWING PLANNING POLICIES

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy 2011-2033
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
H1 - Housing Mix and Accommodation Types
T1 - Sustainable Transport Choices
DM1 - Habitat Protection and Improving Biodiversity
DM2 - Epping Forest SAC and the Lee Valley SPA
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
DM9 - High Quality Design
DM10 – Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development
DM15 - Managing and Reducing Flood Risk
DM16 - Sustainable Drainage Systems
DM18 - On Site Management of Waste Water and Water Supply
DM19 - Sustainable Water Use
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM22 - Air Quality
D1 - Delivery of Infrastructure
D3 - Utilities

National Planning Policy Framework (July 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b)

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Summary of Representations

Number of neighbours consulted: **22**

To date, **5** neighbour objections have been received as follows:

82 High Road, Buckhurst Hill: Objects to demolition of house and should be renovated to former condition.

89 Queens Road: Proposals would intrude into rear garden to a greater depth and will dominate my property. Block out sunlight for greater part of afternoon. Proposals are out of keeping with existing houses in the road and will lead to further increase of traffic and parking difficulty in Queens Road.

93 Queens Road: Does not respect setting in terms of scale, proportion, siting, massing, bulk, depth, height, orientation or roof line. Front elevation is bulkier and greater in mass. South facing windows in hallways, kitchen and 1st floor bedroom will breach natural light. Closer in proximity. Loss of daylight sunlight to garden and south facing kitchen windows. Overbearing. Proposals should respect existing boundaries. Overdevelopment of site. Applicant has not provided and sunlight or daylight report.

13 Mountbatten Court: Objects to loss of an architectural beautiful property important to the village character of Queens Road. Appearance of replacement dwellings are not satisfactory. Should not be demolished.

Flat 2, Blackborough House, 23 Beatrice Court: Objects to demolition of property as it positively contributes to the character of the local area. Loss of aesthetically and historically important building.

Buckhurst Hill Parish Council: Has not objected although raises the following concerns:

Accuracy of drawings regarding distance to boundaries;
Bulk and mass of the development to the rear;
Loss of privacy to neighbouring properties; and
Light pollution.

Issues and Considerations

The main issues for consideration in this case are as follows:

- Principle of redevelopment
- Scale, siting and appearance
- Trees and landscaping
- Impact on amenities of neighbouring residents
- Highways and parking
- Impact on EFSAC

Principle of redevelopment

The demolition of the existing property and its redevelopment to provide 2 new dwellings is considered acceptable in principle subject to other design and amenity requirements being satisfied. The proposal seeks to reuse existing urban land which is a central tenet of achieving sustainable development as prescribed in National Planning Guidance.

Officers acknowledge neighbour objections in relation to the loss of the existing dwelling on grounds that the building has historical and architectural merit and should be retained and refurbished. However, the Council's Heritage Officer has confirmed to officers that No.91 Queens Road does not merit special protection and is not considered to meet the minimum criteria for local listing as a non-designated heritage asset.

Accordingly, the proposed redevelopment of the site to provide new housing complies with policies CP1, CP3, CP5 and CP6 of the adopted adopted Local Plan (2008); policies SP1 and SP2 of the emerging SVLP (2017) and the National Planning Framework which advocates for the presumption in favour of sustainable development.

Scale, siting and appearance

The proposed semi-detached pair of dwellings would maintain a forward building line analogous to the existing dwellinghouse and Nos. 89 and 93 Queens Road whilst maintaining a minimum 1 metre separation to their respective side boundaries (for an approximate depth of 14 metres - front to rear) before stepping further inwards to the rear. The roof ridge and eaves levels of the proposals are set lower than those at Nos.93 and 95 Queens Road and taller than No.89 Queens Road in order that the proportions and regularity in the streetscene is maintained. Therefore, officers consider the siting and scale of the proposals to be visually compatible with adjacent properties and the streetscene in general.

The appearance of the proposal seeks to replicate a Victorian vernacular which comprise tall/robust bay protruding elements to the front, sash style windows with stone cills and surrounds and portico style entrances. Queens Road is mixed in character although it the proposed architectural approach would comfortably complement the immediate built form in the area. Officers have recommended a planning condition is included to ensure that the intended Victorian aesthetic can be successfully executed.

The internal accommodation for each dwellinghouse would exceed the minimum recommended gross internal floor areas as set out in the National Technical Space Standards for 5 bedroom sized properties.

The proposed garden/gym buildings are acceptable in terms of their size, siting and design.

Overall the proposed scale, siting and appearance and its impact on the existing streetscene of Queens Road are acceptable and therefore would comply with the requirements of policies DBE1, DBE4 and DBE5 of the adopted Local Plan (2008) and policies DM 9 and DM 10 of the emerging SVLP (2017).

Trees and landscaping

The proposals would retain the sole TPO tree to the front southwest corner of the site. Non-TPO trees that are currently located to the rear garden curtilage of the application site and part of the neighbouring gardens either side will be protected during construction and re-landscaping works.

Overall, the quality of the proposed hard and soft landscaping elements is acceptable and complies with policies LL10 and LL11 of the adopted Local Plan (2008) and policies DM3 and DM9 of the emerging SVLP (2017).

Impact on amenities of neighbouring residents

The neighbouring properties most likely to be affected by these proposals are Nos. 89 and 93 Queens Road.

In terms of No.89 Queens Road, the main area that is likely to be impacted by the proposals is the glass conservatory to the rear side (northwest). The extent of natural daylight and sunlight to the conservatory is already compromised by its north facing aspect and would be overshadowed to some extent by the existing two storey outrigger of the original building. Officers acknowledge that the flank of the proposed building will come nearer to the separating boundary, and whilst some change in terms of light and outlook may be noticeable as a result, the impact is not considered to be detrimental to the continued enjoyment of the conservatory. With regards to overlooking and privacy, Members will have noted that the existing two storey outrigger currently allows significant overlooking of the boundary at No.89 (from its bedrooms at ground and first floor levels). The design and layout of the proposed building would remove the incidence of overlooking of No.89. The windows proposed to the ground floor east flank of the proposed building are recommended to be obscured by planning condition to ensure any additional overlooking and resulting loss privacy to the occupiers of No.89 can be avoided.

With regard to No.93 Queens Road, officers note that there are various openings along the east facing flank of the building which will be affected by these proposals. At ground level, there is a doorway and three windows. The doorway and small window (nearest) would appear to serve a hallway/circulation space and therefore any impacts to light in both respects is acceptable. The 2 other windows located to the rear are secondary windows and similarly the impact in terms of daylight and outlook is acceptable. The 2 first floor window appear to serve a hallway/circulation area and therefore the impact is acceptable again. The window located within the (side) roof would likely serve a bedroom although given the lower height and separation between proposals the impact on light and outlook to this area is acceptable. The Right of Light representation submitted by the occupiers in support of their current objections (albeit they were prepared in relation to the refused scheme under EPF/2441/19) is not a planning consideration but a civil matter to be resolved between both applicant and No.93. The windows proposed to the ground floor west facing flank of the proposed building are also recommended to be obscured by planning condition to ensure any additional overlooking and resulting loss privacy to the occupiers of No.93 can be avoided.

Overall, the proposals will not have an adverse impact on neighbouring living conditions of Nos.89 and 93 Queens Road in terms of daylight, sunlight and privacy and is therefore considered acceptable and would comply with policy DBE9 of the adopted Local Plan (2008) and policy DM 9 of the emerging SVLP (2017).

Highways and Parking

The application provides 4 parking spaces in total of which 2 spaces will be assigned to each property. The installation of a double width crossover and removal of the existing low garden wall to enable the off-street parking is supported by officers and ECC Highways. Existing resident and public parking controls currently in operation in Queens Road would discourage and minimise the potential for additional on-street parking demand as a result of these proposals.

To encourage sustainable travel choices, ECC Highways have requested that a planning condition be included to ensure the applicant provides the future occupiers of these properties with residential travel packs and travel vouchers. This matter is included as part of the officer recommendation.

Accordingly, the impact of the proposals on the highways and parking are acceptable and therefore comply with policy ST6 of the adopted local plan (2008) and policy T 1 of the emerging SVLP (2017).

Epping Forest Special Area of Conservation (EFSAC)

Screening Assessment

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

a) The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. In addition the site lies within the parish of Loughton/Buckhurst Hill/Theydon Bois (delete as appropriate). Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

b) The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both recreational pressures and atmospheric pollution.

'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach and identification of Infrastructure Enhancement Projects in the Council's Green Infrastructure Strategy, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes, monitoring proposals and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the Interim Approach and the Green Infrastructure Strategy. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not

have an adverse effect on the integrity of the EFSAC and therefore complies with policy NC1 of the adopted Local Plan (2008) and policy DM 2 and DM 22 of the emerging SVLP (2017).

Miscellaneous matters

In terms of flood risk and contamination impacts the Council's respective technical teams do not object to the proposals in principle subject to appropriate planning conditions being included.

Conclusion

This application proposals provide a well-designed residential scheme that makes good use of an existing urban site. The proposed design in terms of its scale, bulk and mass including its relationship with neighbouring buildings is acceptable as are the impacts on neighbouring amenities. The proposed development will not cause harm to highway safety and the level of parking close to local services and local transport modes is acceptable. Accordingly, it is recommended that planning permission is granted subject to planning conditions and a Section 106 Agreement to secure recreation and air pollution mitigations in relation to the Epping Forest SAC.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Cuma Ahmet

If no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk

Appendix A

Senior Conservation Officers Comments on 3rd Party Information

Scope of this assessment

This assessment follows the deferral of a planning decision (ref. EPF/2472/20) by the South Committee, in order to allow additional information to be shared with and reviewed by the Conservation Team. This information was provided by Cllr Pond in email sent on the 8th of July 2022.

Context

It is important to recall that the area of Queens Road, Buckhurst Hill has been surveyed twice for local listing. Initially in 2004, at the time of the creation of the Local List and, subsequently in 2012, during the commissioned Heritage Asset Review. In 2004, the buildings directly adjacent, nos.93-95 and no.89 (Portland House) have been included to the Local List for their aesthetic value. In 2012, the area was re-surveyed, nos.93-95 and no.89 were maintained and no.105 (located five plots to the west), a 19th century villa was identified for its historic and aesthetic values and added to the list of building to be included to the Local List.

The above confirms the survey of the area for local listing, at two different periods, where no.91 was assessed but, unlike buildings in close proximity, not felt to meet the criteria.

Criteria - defining the scope of the local heritage list

The below gives commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list, as advised in Local Heritage Listing: Identifying and Conserving Local Heritage, Historic England, Advice Note 7 (Second Edition).

1. Asset type

“Although local heritage lists have long been developed successfully for buildings, all heritage asset types, including monuments, sites, places, areas, parks, gardens and design landscapes may be considered for inclusion”.

Building, residential use.

2. Age

“The age of an asset may be an important criterion, and the age range can be adjusted to take into account distinctive local characteristics or building traditions”.

According to the information shared by the Cllr, the house is of mid- 19th century origins (with later alterations and additions), which is corroborated by the OS Survey Map (1862-1893) where the building can be observed and its architectural style.

3. Rarity

“Appropriate for all assets, as judged against local characteristics”.

The arrival of the railway in 1856 triggered the “golden age” of Buckhurst Hill and a substantial number of new roads were laid out and lined with houses of all sizes and shapes. The overarching character of much of Buckhurst Hill is as a Victorian suburb with terraced and semi-detached housing laid out along the newly established roads of Queens Road, Princes Road, Palmerston Road, Gladstone Road, and along Hills Road, Trent Road and Osborne Road. Many of these houses have survived with particularly well-preserved examples, the significance of which has been recognised by their inclusion into the Local List. No.91 is therefore not considered as a rare example of its type and period and careful considerations should be taken regarding its inclusion in order not to devalue the significance of the current Local List.

4. Architectural and Artistic Interest

“The intrinsic design and aesthetic value of an asset relating to local and/or national styles, materials, construction and craft techniques, or any other distinctive characteristics”. It is agreed that no.91 retains some of its original architectural features such as projecting bracketed eaves, render and rusticated quoins and window surrounds, which allow the building to be recognisable of the Victorian period. The building has, however, been significantly altered over time. The façade was remodelled at ground floor with the addition of a canted bay which could, according to the information shared by the Cllr, be attributed to the well-known local

architect Herbert Tooley. There are many surviving examples of Tooley’s architecture in the local area from houses to schools and hospitals. Many examples of his work have been recognised as locally listed buildings, such as Forest Hospital on Roebuck Lane built between 1909 and 1912 (now Forest Place Nursing Home). These alterations are not considered to compliment the building as they have upset the symmetry of the original façade composition - most likely to have featured a window (aligned with the first floor) and an entrance door with Doric doorcase.

In addition to this, and as confirmed by the submitted photographs showing the building in 1955 and 1962, significant alterations were undergone at roof level. These have resulted in the loss of the original roof form, typical of Victorian buildings. The changes consisted in:

- the removal of the raised parapets, formerly in line with the rusticated quoins;
- the loss of the original shallow pitched roof form, and its replacement with a much higher and steeper pitched roof;
- the loss of the original material covering of natural slates and red clay ridge tiles with the introduction of concrete tiles and glazing;
- the loss of the front chimney stacks (on both sides).

No.91 cannot be considered as a good example of its type and style due to the unsympathetic and irreversible alterations that the building has undergone over time.

5. Group Value

“Groupings of assets with a clear visual design or historic relationship”.

The group value is a criterion that considers not only the building in question but also the buildings directly adjacent. Buildings of lesser significance can therefore be included into the Local List not only for their intrinsic significance but that of their surroundings. No.91 could have been one of them as it is surrounded by locally listed buildings of the same type and period. Unfortunately, its degree of alterations was considered too severe to allow its inclusion.

6. Archaeological Interest

"The local heritage asset may provide evidence about past human activity in the locality, which may be in the form of buried remains, but may also be revealed in the structure of buildings or in a designed landscape, for instance. Heritage assets with archaeological interest are primary sources of evidence about the substance and evolution of places, and of the people and cultures that made them".

Not relevant to this site.

7. Historic Interest

"A significant historical association of local or national note, including links to important local figures, may enhance the significance of a heritage asset. Blue Plaque and similar schemes may be relevant. Social and communal interest may be regarded as a sub-set of historic interest but has special value in local listing. As noted in the PPG: 'Heritage assets ... can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity'. It therefore relates to places perceived as a source of local identity, distinctiveness, social interaction, and coherence, contributing to the 'collective memory' of a place".

According to the information shared by the Cllr, no. 91 could be associated to the local and historical figures listed below:

- Nathaniel William Brenton Collyer, "who had been born on the island of St Helena, where his father had been naval storekeeper during the time of the exile of Napoleon Bonaparte". While the association with The Emperor is an appealing and undoubtedly popular theory, there is no evidence attesting the veracity of the information.

- Herbert Tooley, "They sold the house to the well known local architect, Herbert Tooley. He did not live in the house himself - however; by 1908 the occupant was Samuel Leonard Potts." "Herbert Tooley owned the house until 27 April 1920 (...)". While it is well acknowledged that Herbert Tooley is an important local figure, he did not live in the house and only owned it for a very short period of time. In addition, the alterations to the building which have been attributed to him and discussed in 4. Architectural and Artistic Interest, are not found particularly satisfactory.

- Vernon AM Robertson, who is given as the occupant by the Directory of 1923, is "one of many eminent scientific and engineering men who lived nearby". He has also been awarded for military valour. Vernon AM Robertson is considered as the most notable figure associated to the building.

In line with the above, we consider that the building has local historic interest which could be recognised by the installation of a blue plaque.

8. Landmark Status

"An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene". In line with the above, and especially 4. Architectural and Artistic Interest, it is considered that the building cannot be considered as a landmark.

Conclusion

As stated on the EFDC webpage regarding Locally Listed Buildings, to be included on the Local List, the building or structure should satisfy (a), and either (b) or (c) below:

- (a) authenticity – buildings should be recognisably of their time, or of a phase in their history. If they have been unsympathetically altered, the change should be easily reversible. A building which is substantially unaltered, or retains the majority of its original features, qualifies under this criterion.
- (b) architectural, local or townscape significance – the building must be a good example of a particular local building type or style, or display good quality local craftsmanship and detailing.
- (c) historical significance – the building should display physical evidence of periods of local economic, technical or social significance, well-known local people or historic events.

The assessment has confirmed that No.91 Queens Road, does not meet the criteria of authenticity and architectural significance and therefore cannot be included into the Local List or be considered as a non-designated heritage asset.

This is supported by policy HC13A of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 189, 194, 195, 197, 203, 204 and 205 of the NPPF (2021).

Third Party Heritage Information

St Helena Villa, 91 Queens Road

A very interesting building in Queen's Road is St Helena Villa. An unusual name for Buckhurst Hill perhaps, but the reason for the name is interesting. This is probably the oldest house in Queens Rd. It was modernised with a new downstairs bay by Tooley in the arts and crafts style of which he was such a noted exponent. The house is a stucco villa with characteristic bracketed eaves in a style common in the 1850s and 60s, with a major alteration by Tooley [above], reflecting phases of its history, as recognised in the heritage section of the EFDC Local Plan (1998 and later alterations). It would probably have had ground floor windows to match those on the upper floor, and a portico around the doorcase.

The land on which the house was built was acquired by the National Freehold Land Society on 2 November 1850. The house must have been built by 1856 when the tenancy was transferred to Nathaniel William Brenton Collyer, of 5 St George's Place, East Middlesex, Thomas Morland of Croydon retaining ownership (from 1852). Later, in 1862, Morland sold the house to Alfred Goode, a hairdresser, of 27 Windmill Street, Tottenham Court Road, who himself sold to Collyer on 26 May 1873. Goode and Morland may have been ground landlords only, as was common in the nineteenth century.

So, by the time of the census of 1881, the occupant was Nathaniel William Brenton Collyer, who had been born on the island of St Helena, where his father had been naval storekeeper during the time of the exile of Napoleon Bonaparte. The Emperor did not die until 1821 so perhaps the child Nathaniel met him. Nathaniel Collyer was born on 7 June 1818 and was the first child for his parents Nathaniel Collyer and Charlotte Knipe (who married 1 on 30 January 1817). They went on to have four more children on the island, although two of them died there as babies. Nathaniel Senior died on 29 May 1864 at his home 50 Beaumont Square, Mile End, where numerous people who became notable in Buckhurst Hill and Loughton started off. The Collyers' ancestors had been based in the City of London from the late sixteenth century and were members of the Mercers' and Grocers' Companies.

Nathaniel Collyer lived at St Helena Villa with his second wife Sophia Letitia (born Hoare, she had also been briefly married to Walter Charles Marchant) whom he married on 25 April 1868. They had several children; [genealogical details removed]

At the time of the 1881 census, Nathaniel Collyer described himself as town carman [cartage contractor in London], and his son by his first marriage, Frederick, living with the family in Buckhurst Hill, as the clerk to the

town carman. Frederick died aged only 24 on 3 July 1881¹. The family employed two servants at St Helena Villa. A gravestone in the churchyard of St John the Baptist, Buckhurst Hill commemorates Nathaniel WB Collyer, who died on 23 (or 28?) September 1885, his wife Sophia Letitia, who died on 10 July 1904, and two of their children, Sophia Letitia and Ada Emily.



The Collyer memorial in the churchyard of St John the Baptist, Buckhurst Hill

¹ *The Morning Post* 6 July 1881

**COLLYER {Nathaniel William
Brenton.**

Personal Estate £2,615 13s. 10d.

Rosworn July 1886 £2,720 3s.

3 December. The Will of Nathaniel William Brenton Colleyer late of Saint Helena-villa Queen's-road Buckhurst Hill in the County of **Essex** of 77 Lower-Thames-street in the County of **London** and of 200 Cable-street in the County of **Middlesex** Carman who died 28 September 1885 at Saint Helena-villa was proved at the **Principal Registry** by Sophia Letitia Collyer of Saint Helena-villa Widow the Relict the sole Executor.

COLLYER Sophia Letitia of St. Helena-villa Queen's-road Buckhurst Hill Essex widow died 10 July 1904 Probate **London** 23 July to Sophia Letitia Collyer spinster and Walter James Phillips and John Charles Stoneman gentlemen Effects £196 4s. 8d.

After Sophia Letitia died in 1904, the house was sold in 1905 by her daughter Sophia Letitia, described as being of the Essex and Colchester Hospital, Colchester, and also involved in the sale were Walter James Phillips, gentleman of Lyncote², Palmerston Road, daughter Minnie Josephine, by now married to Frederick Charles Field, the son of Albert Field of Camden House, Princes Road, and living at 12 Kensington Gardens, Ilford, and John Charles Stoneman, of 27 Elam Street, Brixton. They sold the house to the well known local architect, Herbert Tooley. He did not live in the house himself - however; by 1908 the occupant was Samuel Leonard Potts.

Samuel Leonard Potts, builder, was born on the Isle of Wight in 1851. He married there in 1872 Mary Jane (Stallard).

Herbert Tooley owned the house until 27 April 1920 when he sold it to Alec Murray Robertson, of 5 High Beech Road, Loughton (a directory of 1923 gives the occupant as Vernon AM Robertson). Vernon AM Robertson is understood to be a candidate for a Loughton blue plaque, and was one of many eminent scientific and engineering men who lived nearby - several have been commemorated recently. He in turn sold it to Alexander Bryan Hornblower on 1 April 1926, who was of 113 Queen's Road, Buckhurst Hill.

Vernon Alec Murray Robertson CBE MC was born in Calcutta on 29 December 1890. He served with the utmost distinction in the Royal Engineers in the Great War, and worked for the Great Eastern Railway/LNER from 1909 to 1940, moving to be chief engineer to London Transport, where he was responsible for the 1935 New Works programme; ending his career as Chief Civil Engineer of British Railways (Southern Region). He was pre-eminent in the engineering profession, serving as President of the Institute of Civil Engineers 1949-50. He died in 1971. He was a noted war hero, twice awarded the Military Cross in the Great War, and serving also in WW2, ending up as colonel, RE. Immediately after the war, he was intimately involved with the Jazz service into Liverpool St "the last word in steam suburban services" and locally built the bridges over new arterial roads near George Lane, Woodford and Bullsmoor Lane, Enfield.

War citations of VAM Robertson

10 Jan 18

T./Lt. (A./Capt.) Vernon Alec Murray Robertson, R.E. For conspicuous gallantry and devotion to duty during an intense bombardment. When all communications with the front line were broken he went through a heavy barrage of gas shells to report on the condition of some bridges, and was badly gassed whilst doing so, but in spite of this he successfully completed his work. Afterwards he showed the greatest energy and ability in keeping up the supply of material for repair of bridges.

8 Oct 1919

/Lt. (A./Maj.) Vernon Alec Murray Robertson, M.C., 87th Fd. Coy., R.E. On the 22nd, 23rd, and 24th October, 1918, and up to the morning of the 25th, he was employed with his company on bridging the canal and various streams near Nivelles. At this time the enemy were holding the crossings strongly with machine guns, firing at close range, and also kept the whole area under continuous shell fire. Two foot bridges and three transport bridges were made, thanks to his example of courage and energy. (M.C. gazetted 26th September, 1917.)

25 Feb 1938

Engr. 6-Rly. Staff Corps—Vernon Alec Murray ROBERTSON, M.C., M.Inst.C.E., M.I.Mech.E. (late Maj. Supp. Res.), to be Lt.-Col. 26th Feb. 1938

² Also known as Kitts Villa, see that section for information about the Phillips family.

Vernon Alec Murray Robertson, Esq., M.C. (Colonel, R.E., T.A.), Engineer-in-Chief, London Passenger Transport Board [Just above Barnes Wallis in list]

Alexander Bryan Hornblower was born in Chiswick 18 May 1876, the son of Jethro Hornblower, a shipping agent, and his wife Sarah, who was an American, from Mobile, Alabama. The some of the other children were Isabel, Rose, William and Elizabeth. By 1911 AB Hornblower was living with his mother and sister in Leytonstone (32 Forest Drive East); he was a clerk in the London electric wire works. According to Mr White, see below, AB Hornblower's son arranged the sale of the property but there is no trace of a marriage in this country, so he may have been living abroad, perhaps South Africa; although he was present in the UK for all appropriate censuses. And in fact, he declared himself single in the 1939 register.

The 1939 directory shows the occupant as AB Hornblower.
The war damage record list the occupant and owner as AB Hornblower.
The damage was very slight on 27 October 1944.

Hornblower died on 8 October 1954 and his son (according to Mr White, but this may have been another relative), from his base in South Africa, arranged the sale to William Robert John White and Elise Marguerite Monckton White³ of 77 Beulah Road, Walthamstow, on 6 April 1955. Squadron Leader White died on 28 March 2019. The house in 2020 is under threat of demolition.



11 Queen Road from 1925 postcard



11 Queen Road showing double-banked roof converted into a greenhouse in 2019

Photos by the owner Mr Bill White, with his own captions.

References

With thanks to Mr Bill White for information about his property.
www.buckhurst-hill-history.btck.co.uk

³ Bill White was born in 1921 and Elise Milnes was born in Cheshire in 1924. They married in 1951 and had three children, Christopher R in 1952 and Penelope Anne in 1955, both in Wellington, and Lyn E in Buckhurst Hill in 1957. Elise died in 1998. Mrs Penelope Anne Bullen of Roydon was mentioned in the *London Gazette* which announced Mr White's death (issued on 30 April 2019). It was White who converted the faulty double-banked roof into a greenhouse.

www.familytreemaker.genealogy.com (Martin Collyer)
www.freebmd.org.uk
www.irelandoldnews.com
www.fold3.com for Edgar Alfred Potts
www.nationalarchives.gov.uk, www.edinburgh-gazette.co.uk for 27 September 1917 and www.wikipedia.co.uk
for VAM Robertson

19/07/2022

QR64 3RD PARTY HERITAGE ANALYSIS©LH Jones

Conditions: (17)

- 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: 110K; 111H; 112C and 113C.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 4 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.

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 policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 5 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

- 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.

Reason: To ensure that 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 can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy RP4 of the adopted Local Plan 1998 & 2006, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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 policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Local Plan Submission Version 2017, 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 and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

- 9 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

- 10 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 ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 11 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.

Reason: To comply with the duties indicated in 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 LL10 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, and policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 12 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 the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 13 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.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

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

- Location of active charging infrastructure; and
- Specification of charging equipment to be used.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies T1 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 16 The redundant vehicle dropped kerb crossover shall be fully reinstated with full footway construction and full height kerbing.

Reason:- To preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

- 17 Prior to the first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution 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. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason:- In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 18 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped and 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.

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. The condition is 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 can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

Refusal Reason(s): (0)

Informatives: (2)

- 19 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 20 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.