



# Epping Forest District Council

# EFDC



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Application Number:	EPF/1869/21
Site Name:	Waltham Abbey Swimming Pool Roundhills Waltham Abbey EN9 1UP

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# OFFICER REPORT

**Application Ref:** EPF/1869/21  
**Application Type:** Full planning permission  
**Applicant:** Qualis Commercial Ltd  
**Case Officer:** Nanayaa Ampoma  
**Site Address:** Waltham Abbey Swimming Pool  
Roundhills  
Waltham Abbey  
EN9 1UP

**Proposal:** Residential Development of 28 dwellings with associated vehicular access point off Roundhills, car parking, open space, landscaping and associated infrastructure.

**Ward:** Waltham Abbey Honey Lane  
**Parish:** Waltham Abbey  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nyggb>  
**Recommendation:** Approved with Conditions (Subject to s106 Legal Agreement)

## Reason For Presenting to Committee

*This application is before this committee since it proposes a ‘major’ development where the Council is a landowner as defined in Article 10 of the Constitution.*

*The site has been transferred from Council ownership to Qualis Commercial Ltd, however given that this is a wholly owned company of the Council, the application is considered to meet the DDMC terms of reference.*

## Recommendation

That planning permission be GRANTED subject to:

*The prior completion of a legal agreement (to secure the planning obligations set out below) within six months of the resolution to grant planning permission and subject to planning conditions listed in Appendix A of this report.*

The recommendation is given subject to the below section 106 heads of terms:

### *Affordable Housing*

- 18% Affordable Housing (AH)
- RSL managed in favour of affordable rented tenure with 80% Affordable Rent/ 20% Intermediate tenures in the form of Shared Ownership
- Late-stage viability review to be in place to capture any uplift in value
- Social rental value capped at 80% of open market rent

### *Healthcare*

- Contribution of £25,208.40 to support community healthcare

### *Transport*

- Final Travel Plan

### *EFSAC HRA Mitigation*

- EFSAC recreational pressure (£9,856.00 / £352.00 per unit)
- EFSAC Air Pollution Mitigation (£9,380.00 / £335.00 per unit)

### *Education*

- Early Years & Childcare (EY&C) (£43,515.00 / £17,268.00 per place)
- Primary Education (£145,051.00 / £17,268.00 per place)

### Community Facilities

- Library Services (£2,178.40 / £77.80 per unit)
- Community facilities contribution (£15,811.20)

### Environment

- Biodiversity £14,000

### Other Obligations

- Stewardship/ Open Space Management Plan
- Electric Vehicle Charging Points
- Employment and Skills Plan
- EFDC Monitoring Fees
- ECC Monitoring Fees

## Description of Site

The application site is approximately 0.60 hectares and is located southwest of the Roundhills housing estate in Waltham Abbey. The previous swimming pool on the site was demolished in 2019 and the site is currently cleared brownfield land. The site benefits from an existing access point from Roundhills. The site is bounded by residential developments to the north and east, the M25 to the south, and open space to the west. The surrounding residential properties in Caldbeck and Roundhills are largely late c.1960s style properties in a terraced semi-detached or detached architectural style. The rear garden boundary treatments of the residential properties on Caldbeck Road, abut the edge of the site. The site was previously designated as Metropolitan Green Belt Land, however following adoption of the current Local Plan, it has been removed from the Green Belt and is subject to a residential site allocation. The open space / playing fields south and west of the site retain their Green Belt status.

## Description of Proposal

The application seeks planning permission for the development of 28 residential dwellings with associated vehicular access point off Roundhills; car parking; open space; landscaping; and associated infrastructure works. The proposed housing units would be low rise, built over 2-3 storeys with a breakdown as below:

Block	Unit type	GIA / sqm	No. of units provided
A	2x bedroom unit	84.8	3
B	2x bedroom unit	84.8	4
C	2x bedroom unit	84.8	4
D	2, 2x bedroom unit	84.8	8
	6, 3x bedroom unit	124.5	
E	2x bedroom unit	84.8	9
			<b>28</b>

The development would make provision for 18% affordable units (5 units: 12,13, 26, 26 & 28). Each unit would benefit from private cycle facilities located and dedicated refuse and recycling areas are to be provided as an integral element of the design of each housing type.

Thirty-five parking spaces and seven visitor spaces are being provided. These would include the provision of electric vehicle charging facilities. The development also makes provision for a air source heat pumps, tree planting and site landscaping.

In accordance with the EIA Regulations the proposed development does not necessitate an Environmental Impact Assessment (EIA).

## Relevant Planning History

The planning history of the site is extensive and dates back to the 1960s, however, the most relevant permissions (from 2000 to present) are outlined below:

<b>App Reference</b>	<b>Description of Development</b>	<b>Decision</b>
EPF/0464/06	Single storey link extension link to rear of leisure facility.	Granted - 19/06/2006
EPF/3284/18	Application for Prior Notification of proposed demolition of a former swimming pool and Leisure Centre with associated plant and car park.	Prior Approval Not Required - 08/02/2019

### **Policy Context**

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 Local Plan 2011-2033 (2023).

#### **National Planning Policy Framework (NPPF) (2021)**

The NPPF (2021) represents a material planning consideration for the planning assessment. It provides the framework for producing Local Plans for housing and other development, which in turn provide the policies against which applications for planning permission are decided.

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.

The most relevant chapters are as follows:

- 5 (Delivering a sufficient supply of homes);
- 8 (Promoting healthy and safe communities);
- 9 (promoting sustainable transport);
- 11 (Making effective use of land);
- 12 (Achieving well-designed places);
- 13 (Protecting Green Belt land);
- 14 (Meeting the challenge of climate change, flooding and coastal change); and
- 15 (Conserving and enhancing the natural environment), are particularly relevant to the proposed development.

#### **Epping Forest Local Plan 2011-2033 (2023).**

The Epping Forest Local Plan was adopted on 6 March 2023 and now forms part of the Council's Statutory Policy Framework. The plan aims to help focus development principles and provide robust planning policy for future decision making. The most relevant policies within the Plan are as follows:

- Policy SP1 Spatial Development Strategy 2011-2033
- Policy SP2 Place Shaping
- Policy SP5 Green Belt and Local Greenspace
- Policy SP6 The Natural Environment, Landscape Character and Green and Blue Infrastructure
- Policy H1 Housing Mix and Accommodation Types
- Policy H2 Affordable Homes
- Policy T1 Sustainable Transport Choices
- Policy DM1 Habitat Protection and Improving Biodiversity
- Policy DM2 Epping Forest SAC and the Lee Valley SPA
- Policy DM3 Landscape character, ancient landscapes and geodiversity
- Policy DM4 Green Belt
- Policy DM5 Green and Blue Infrastructure
- Policy DM6 Designated and undesignated open space

- Policy DM7 Historic Environment
- Policy DM9 High quality design
- Policy DM10 Housing design and quality
- Policy DM11 Waste Recycling Facilities in New Development
- Policy DM15 Managing and Reducing Flood Risk
- Policy DM16 Sustainable Drainage Systems
- Policy DM17 Protecting and Enhancing Watercourses and Flood Defences
- Policy DM18 On-Site Management and Reuse of Wastewater and Water Supply
- Policy DM19 Sustainable Water Use
- Policy DM20 Low Carbon and Renewable Energy
- Policy DM21 Local Environmental Impacts, Pollution and Land Contamination
- Policy DM22 Air Quality
- Policy P3 Waltham Abbey
- Policy D1 Delivery of infrastructure
- Policy D2 Essential Facilities and Services
- Policy D3 Utilities
- Policy D6 Neighbourhood Planning

### ***Waltham Abbey Town Council Neighbourhood Plan***

Following approval of the Neighbourhood Plan Area in March 2016, Waltham Abbey Town Council are currently preparing their draft Neighbourhood Plan, but is at an early stage and is therefore not a material planning consideration.

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## **Summary of Representations**

Number of neighbours consulted: 61

Following amendments made during the application's assessment period and new information submitted in relation to affordable housing, a further consultation for the period of 14-days was undertaken. The changes included some design alterations, changes to amenity spaces and planting, and an altered affordable housing offer.

The re-consultation period ended on the 23 November 2021 although responses were accepted after this date.

### ***Neighbour Representations***

Three neighbour representations have been received in response to the consultation (see below):

- 102 Roundhills, Waltham Abbey, EN9 1UP
- 104 Roundhills, Waltham Abbey, EN9 1UP
- 28 Caldbeck Waltham Abbey Essex

These comments can be summarised as below:

- Structural issues pertaining to ground movement with heavy machinery to properties.
- Loss of security to existing properties.
- Consideration should be made to placing a series of speedbumps at the entrance of the new development and its approach road from both directions.

Neighbour concerns are addressed within the corresponding sections of the report.

### ***Statutory and Non-Statutory Consultees***

Statutory and technical consultee comments are summarised below:

- *Essex Places Services Archaeology*: No objection, condition not required.
- *Essex County Council Highways*: No objection, subject to conditions. Draft Travel Plan welcome, final to be secured via s106.
- *Essex County Council Education Infrastructure Schools / Libraries*: No objection subject to a section 106 contributions to help mitigate the impact of the development on the education provisions in the Ward.

- *Essex Place Service Ecology*: Further information required to demonstrate how the applicant's calculations were arrived at; why there is no compensating for the loss of 0.98 Biodiversity units; planting of Portuguese Laurel hedges in the centre of the site not supported.
- *Essex County Council Lead Local Flood Authority, SUDS / Drainage*: No objection subject to conditions pertaining to site infiltration tests, SuDS storage details and other matters.
- *EFDC Building Control*: Advise that proposal should demonstrate that it can satisfy requirement B5 of the Building Regs and advise early consultation with Essex Fire and Rescue Service.
- *EFDC Environmental Health Air Quality*: – No objection, subject to conditions.
- *EFDC Safer Communities Noise*: – Note external noise levels will be higher than recommended guidelines of 55db, however, no objection made as difference is minimal. Recommend further noise mitigation. Development acceptable subject to conditions.
- *EFDC Environmental Health Contaminated Land* – No objection, subject to condition.
- *EFDC Heritage and Venues*: Contribution sought towards the reinstatement of Lodge Lane Playing pitches that lie to the east of the site. In addition, vehicle maintenance access is sought.
- *Land Drainage*: No objection, subject to condition.
- *Green Infrastructure*: No objection, subject to condition.
- *EFDC Tree Officer*: No objection, subject to conditions on retention of trees and shrubs and hard and soft landscaping.
- *Urban Design Officer*: Some outstanding concerns remain. Conditions recommended.
- *EFDC Affordable Housing Officer*: Note that 40% (11) affordable housing is required by policy.
- *City of London Corporation*: Development represents a significant potential for increased recreational impact upon the SAC and further assessment of this impact would need to be provided in line with the Conservation of Habitats and Species Regulations.
- *East of England Ambulance Service*: Development will give rise to additional healthcare provision and as such a financial contribution to mitigate this is requested.
- *Essex Police*: No objection, however further engagement is required to ensure development is safe and meets Secure by Design principles.
- *Essex County Fire and Rescue Service*: No objection.
- *Thames Water*: No objection.
- *Waltham Abbey Town Council*: *Objection to the development due to insufficient parking and the parking design not in keeping with surroundings.*
- *Natural England*: No objection

### **Quality Review Panel**

The application was presented to the Quality Review Panel on two separate occasions and the comments received from the panel are summarised as follows:

#### *February 2019:*

- Public realm and landscape need to be at the heart of the proposal;
- Reduction in car parking spaces to lessen dominance of car parking;
- Provide multi-functional street that enhances and priorities public realm and local community;
- Focus on pedestrian and cyclist experience;
- Exploration of central community green space;
- Strengthen east-west connections and ecological links;
- New public footpath to southern border to promote green belt links and access to private gardens;
- Revisit site entrance design;
- Adjust dwelling layouts to respond to noise issues;
- Link architectural language to site context; and
- More ambitions in relation to sustainability.

#### *July 2019:*

- Encouraged to rethink site layout;
- Proximity to M25 will present design challenges;

- Mature trees and landscape setting could be celebrated further within the design approach;
- Exploration of noise mitigation required including at source interventions;
- Revisit site area proposed for vehicular circulation; and
- Consider how development integrates into surrounding area in terms of links to nearby employment areas, public space and views north towards open countryside.

### **Engagement with the Local Community**

A Community Engagement Strategy developed by Qualis Commercial Ltd has been submitted by the applicants. The strategy included the following elements:

- Letters to residents in close proximity advising of details of consultation platform launch and webinar date;
- Emails to stakeholders advising of details of consultation platform launch and webinar date;
- Local press releases;
- Social media campaign;
- Leaflet and feedback form drops to surrounding areas;
- Public webinar;
- Stakeholder webinar; and
- Engagement with local Councillors.

A public engagement exercises was undertaken between 10th May and 04 June 2021.

### **Planning Considerations**

In considering the merits of the application and its alignment with the requirements of the Development Plan, the following matters are relevant:

- |  |   |
|--|---|
| • Principle of Development                   | • Impact on Amenity                       |
| • Impact On the Epping Forest SAC            | • Historic Environment – Archaeology      |
| • Housing Mix / Affordable Housing           | • Landscaping and Trees                   |
| • Design                                     | • Ecology                                 |
| - Space standards                            | • Sustainability, Energy / Climate Change |
| - <i>External amenity and play provision</i> | • Highways and Transport                  |
| - <i>Air Quality</i>                         | • Infrastructure                          |
| - <i>Light Pollution</i>                     | • Employment and Skills                   |
| - <i>Noise – future occupiers</i>            |   |
| - <i>Ground contamination</i>                |   |
| - <i>Accessibility and fire safety</i>       |   |
| - <i>Flood Risk and Suds</i>                 |   |

### **Principle of Development**

Following the adoption of the Epping Forest Local Plan, the site has been allocated for residential use (WAL.R6 'Land at Roundhills'). As such, the principle of development is acceptable given that the proposals would be in compliance with the Local Plan's allocated use for the site.

Paragraph 122 of the NPPF states that planning decisions should support developments that make efficient use of land. Paragraph 125 further states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. The NPPF advises that density standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this cannot be done.

The proposal is for 28 dwellings across a site area of approximately 0.60 hectares which results in a density of 45dph. This Local Plan allocates the site for the provision of approximately 27 homes providing a density of 45dph. The addition of one unit is considered appropriate and the proposal would not lead to an overdevelopment of the site.

### **Impact On the Epping Forest Special Area of Conservation**

Epping Forest is designated as a Special Area of Conservation (SAC), which limits what can be done within the forest, as well as having impacts upon all proposed development in its vicinity. The Conservation of Habitats and Species Regulations (2017), as amended by the 2019 EU Exit Regulations (the Habitats Regulations) transpose the EU Habitats Directive into UK law and require a decision-maker to consider the effects of proposed projects on European protected sites through undertaking a habitats regulations assessment (HRA). Under the Habitats Regulations, the Epping Forest SAC (EFSAC) is classed as a European site. As such, if the result of an initial screening assessment shows that a project is likely to have significant effects on a European site, a full assessment of those effects must then be undertaken. Furthermore regulation 63 of the Habitats Regulations requires the 'competent authority' to conduct an 'Appropriate Assessment' ("AA") if concluding that the project is 'likely to have a significant effect' on a European site, either alone or in combination with other plans or projects. In instances where an Appropriate Assessment is conducted Regulation 63(5) will apply, meaning that *"the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site"*. Accordingly, the Council has a legal duty as the 'competent authority' under the Habitats Regulations to protect the EFSAC from the effects of development (both individually and cumulatively) and in doing so, must have regard to the representations of Natural England (NE). Following adoption of the Local Plan, Policy DM2 further reinforces the above.

The Councils HRA 2021 undertook an Appropriate Assessment of the planned development proposed within the Local Plan, to consider its effect on the EFSAC. The HRA 2021 concluded that, subject to securing urbanisation/recreational pressure and air quality mitigation measures as noted in the strategies in policy DM 2 of the Local Plan, the adoption of the Local Plan will have no adverse effect on the EFSAC.

The Councils Air Pollution Mitigation Strategy (APMS) identifies a number of mitigation measures, some of which are required to be delivered as part of individual planning applications alongside strategic initiatives and monitoring requirements, and whose implementation will require a financial contribution to be secured by individual developments. The APMS therefore provides the mechanism by which the Council can arrive at a conclusion of no adverse effect on the EFSAC as a result of planned development. The APMS sets out that all development which would give rise to a net increase in average annual daily traffic (AADT) will be required to be mitigated in accordance with the measures set out within the APMS.

The applicant's methodology for calculating the Annual Average Daily Traffic (AADT) for the proposal and its distribution on the network has been found acceptable. The submitted assessment concludes that the impact of the proposed 28 residential units on the EFSAC reflects that of the WAL.R6 allocation. Given the nominal variance between the allocated and proposed development, the reduced parking provision and EV charging proposed, this conclusion is accepted and would not require additional mitigation other than the defined EFDC HRA obligations for residential development. The assessment satisfies the HRA requirements and that the defined EFDC obligations for residential development are applied.

A financial contribution of £352 per dwelling (£9,856) will be applicable due to the recreational pressure impact of the development and £335 per dwelling (£9,380) for the Air Pollution Mitigation Strategy. The financial contributions will be secured through a legal agreement and subject to this being secured, it can be concluded beyond a reasonable scientific doubt that there will be no harm to the integrity of the EFSAC.

### *Housing Mix / Affordable Housing*

In terms of housing mix, the application is proposing a mix of 2 and 3 bed units as follows:

<i>Typology / percentage</i>	<i>2 bedroom</i>	<i>3 bedroom</i>	<i>Total</i>
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House	22	6	28
%	79%	21%	100%

The Strategic Housing Market Assessment 2015 (SHMA) represents the latest evidence in terms of the type and size of housing needed across the District. It is noted that the proposal contrasts sharply with the SHMA which identifies the need as being 74% 3+ bedroom houses and 24% 1x and 2x bedroom houses. However, whilst the ratio of 2x bedroom units is noted, it is felt the proposal offers a suitable mix for this site, while maximising the number of units that can be provided.

The Local Plan projects that 2,851 new affordable homes will be required by 2033. The Strategic Housing Market Assessment (SHMA) 2015 identified that there is a significant under provision and growing need for these forms of units. Policy H2 (Affordable Housing) requires that proposals should meet a 40% on site provision of affordable housing.

The initial submission of the application included a provision of a 40% affordable housing provision. This was later revised by the applicant on the grounds of viability, to 20% (6 units) and subsequently to 18% (5 units). All of the affordable units will be 2x bedroom dwellings with a tenure split of approximately one third shared ownership and two thirds affordable rent. The table below sets out the affordable housing unit breakdown:

Unit number	Tenure	Block
12	2x bedroom unit	D
13	2x bedroom unit	D
26	2x bedroom unit	E
27	2x bedroom unit	E
28	2x bedroom unit	E

As required by Policy H2 the applicant has provided a viability assessment which has been independently interrogated by the Council's appointed viability reviewers through a number of iterations.

For reference the national planning practice guidance states:

*"Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.*

*Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then.*

*The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment."*

Benchmark Land Value has been established post the adoption of the Local Plan at which point the site was removed from the Green Belt.

An agreed position on where the scheme viability sits has not been reached given conflicting views on the most appropriate build costs to use for this purpose. Notwithstanding this, it is clear from the different scenarios considered that the viability of the scheme is constrained by the effect of rising construction costs and limits on the value that can be generated by this development given the characteristics of its location. In this specific case 18% is considered the most that can reasonably be secured at this time.

Whilst 18% affordable housing is accepted by the Council in this case it is considered appropriate to ensure that any subsequent uplift in value is captured. As such the Section 106 Agreement will include

a late-stage viability review and 'clawback' clauses (or similar) to ensure the fullest possible compliance with Local Plan policy is achieved where the viability of the scheme improves before completion. This is particularly important in light of current high build costs – the review will capture any improvements in sales values relative to costs.

Given the above assessment the application is considered acceptable in terms of housing mix and affordable housing provision.

### **Design**

The Council's Local Plan Policies SP2, H1, DM9 and DM10 are committed to ensuring that all new developments meet the highest standard of design in the broadest sense. In this respect, good design should result in development which functions well within the surrounding area and encompasses buildings which are durable and adaptable within their context. It further emphasises that good design is not solely a visual concern, but also has social and environmental elements such as the potential to create high quality public realm, improving quality of life for local communities and contributing to the sustainability agenda. All of which are essential components of an integrated, modern-day life. This approach aligns with the NPPF.

Policy SP2 seeks to ensure that developments accord with exceptional place making principles and it is recognised that placemaking is a holistic approach to planning. Meanwhile Policy DM9 sets out an overall design approach.

The general layout of the development, with a central linear street bounded by 2-3 storey terraced housing, is supported. The central linear street provides the opportunity for amenity and active travel and an appealing east-west connection through the site with the short north-south terraces are considered to relate positively to the layout of the estate situated to the north.

It is considered that there would be further scope to activate the flank walls of terraces A, B and C so that these end of terrace elevations can contribute further to the public realm than is currently the case. This would help to ensure the central street is safe, more vibrant and more overlooked. With this in mind a condition is recommended to encourage further activation and to maximise the opportunities for vibrancy of the street and public realm, whilst also improving opportunities for natural surveillance.

The general massing of 2-3 storeys, with 3 storey massing located away from the existing estate, is supported as appropriate to the context. Concern has been raised during the application process that the contrast between typologies is less successful than it could be, and this particularly relates to the taller 3x bedroom units which have a different character to the rest of the units within the development in terms of massing, façade proportions, elevational treatment and threshold treatment.

During the course of the application, amendments have been made to the elevational treatment to provide a more consistent approach across the four different housing typologies. However, although some level of concern remains in relation to the abrupt change in massing and threshold treatment between typologies, particularly at the western end of the south-west terraced row, it is recognised that the site has additional challenges such as its close proximity to the M25 which has resulted in a fairly continuous built form on the southern side of the site to try and act as a noise buffer. As such when viewing the scale, form and massing in this specific context, it is considered acceptable. However as mentioned elsewhere in this report, the use of appropriate and good quality materials will be essential to strengthen the design principles of the development.

With regard to appearance and materials, Policy DM9 notes that development proposals are required to incorporate sustainable design and construction principles that relate positively to their locality having regard to distinctive local architectural styles, detailing and materials. Meanwhile paragraph 130 of the NPPF notes that developments must be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, establish a strong sense of place, and be sympathetic to local character and history while not preventing or discouraging appropriate innovation or change.

It is considered appropriate for the scheme to be a unique standalone design. In addition, whilst the application site is located within the Roundhills Estate it will also be positioned distinctly separately to the estate as a result of it being on the former Waltham Abbey Swimming Pool site. It would also be accessed via a private road and have its own distinct hard landscaping. These factors mean a different style to the surrounding vernacular is both appropriate and necessary and this element of the scheme is supported. -

In terms of materiality, whilst some materials have been stated in the application documents (e.g. timber cladding which is crucial to ensure low embodied energy), it is considered appropriate for material details to be dealt with via planning conditions. This is to ensure that appropriate materials are used throughout the development and that the overall finish is of a good quality. This is particularly important given the strong form of the houses – which will need a simple material palette to prevent a dominant and overbearing appearance - and the impact that the materials will have on the public realm. Conditions are also recommended in relation to specific detailing of balconies, junctions, roof edges and dwelling entrances. Subject to materials being secured by condition, the materials element of the scheme is supported.

#### *Space standards*

With regard to accommodation standards for future occupiers, Policy DM9(H) requires development proposals to take account of the privacy and amenity of the users of a development as well as that of neighbours.

The proposed unit sizes are as follows:

<b>Block</b>	<b>Unit type</b>	<b>GIA / sqm</b>	<b>No. of units provided</b>
<b>A</b>	2x bedroom unit	84.8	3
<b>B</b>	2x bedroom unit	84.8	4
<b>C</b>	2x bedroom unit	84.8	4
<b>D</b>	2 2x bedroom unit	84.8	8
	6 3x bedroom unit	124.5	
<b>E</b>	2x bedroom unit	84.8	9
			<b>28</b>

These unit sizes exceed the National Space Standards and are therefore welcome.

The revisions to the 2 bedroom units to provide open plan living / kitchen / diners are considered an improvement on the previous iteration as this would result in a more modern and cohesive layout.

#### *External amenity and play provision*

With regard to external amenity space, the development proposes private gardens to each unit. The private gardens vary in size, particularly in dwellings on the southern part of the site and it is noted that two of the affordable housing tenure units – No's 27 & 28 – have a further reduced grassed area along with level changes which will impact the useability of the space. Notwithstanding this, each dwelling will have a private garden and a storage shed which will also provide covered cycle storage.

The proposed shared / public amenity provision of the development is considered less successful.

Whilst it is noted that the development proposes small pockets of public amenity space in addition to each dwelling having private gardens, only 68 sq.m of shared amenity space will be provided within the site. While there is limited play provision the applicants have identified “natural play” opportunities and created west, south and east connections from the site to the immediately adjoining public open space and playing fields.

#### *Air Quality*

Policy DM9 and DM22 address issues of noise, vibration, fumes, odour, light pollution, air quality and microclimatic conditions likely to arise from any use or activities as a result of the development or from neighbouring uses or activities.

An Air Quality Assessment has been submitted and assessed by Council Officers and air quality is considered acceptable subject to conditions pertaining to the construction phase of the development including construction noise and vibrations. Subject to these conditions the application is considered acceptable in terms of vibration, fumes and air quality. The application is considered acceptable in terms of air quality.

#### *Light Pollution*

In terms of lighting, an outline Lighting Assessment has been submitted with the application which states that the site is considered to be 'Zone 3 – Medium district brightness'. The report also states that

the “the locality of the proposed development will not be particularly sensitive to light pollution as it is not an area that is intrinsically dark”.

The Assessment also notes that the corresponding Ecological Statement identifies that light spill from the development could impact on foraging bats. As such, it is stated in the Lighting Assessment that the external lighting scheme will be developed in collaboration with the project ecologist to ensure appropriate mitigation is put in place.

Subject to the imposition of conditions pertaining to a final detailed lighting assessment and the construction phase of the development including construction noise and vibrations, the application is considered acceptable in terms light pollution.

#### *Noise – future occupiers*

The proposed development site is in close proximity to the M25: approximately 70m<sup>[1]</sup> when measured in a straight line from the approximate location of the rear gardens of the nearest proposed properties on the southern side of the site (Block E), to the nearest lane on the M25. As such there is a reasonable expectation that future occupiers of the development could experience higher levels of noise than would otherwise be expected.

Officers stated during the pre-application that whilst the site is a suitable location for family housing, this would be subject to design and environmental mitigation measures. This is echoed against the supporting text for the site Allocation (WAL.R6) constraints where it states:

*a. The site is identified as being at risk of noise and air quality impacts due to its proximity to the M25 motorway. Development proposals should mitigate noise and air quality impacts through careful design and layout. This could include orientating-built development away from areas most affected, providing planting and earthworks to provide screening, and/or ensuring noise-insulating building materials are used.*

The Council acknowledge that the applicant is seeking to provide a ‘PassivHaus’ type development in order to meet the Council’s Sustainability targets and that a ‘sealed building envelope’ is part of this sustainability ambition. The submitted Noise Assessment<sup>[2]</sup> states that “Air source heat pumps are also to be provided and these in combination with MVHR will provide ventilation, heating and cooling, meaning future residents will not need to open windows unless they choose to do so.” The applicant has stated that given the form of housing proposed, future occupiers will not need to open their first floor windows because of the MVHR system. This will result in the occupiers of 17 of the 28 units or 61% (plots 12 to 28 in Blocks D and E), being able to choose to open or keep closed their rear first floor windows (serving bedrooms and / or living rooms).

The submitted Noise Impact Assessment confirms the range of 56 – 58 dB LAeq during the daytime. The assessment also notes that garden boundaries will be treated with noise mitigating 1.8m high close board fencing with a minimum surface density of 12 kg/m<sup>2</sup>. These levels are greater than the preferred minimum 55db upper guideline value (BS 8233:2014 in external amenity areas).

The Council’s Environmental Health Noise Officer has been consulted and has commented that while the resulting noise levels would be higher than the recommended guidelines of 55db, they are not significantly higher and therefore, no objection is made. However mitigation should be provided. In order to address these comments, the applicants have agreed to provide more tree / hedge planting to the southern boundary of the site.

#### *Ground contamination*

Paragraph C of Policy DM21 requires that potential contamination risks are properly considered and adequately mitigated before development proceeds. The application is accompanied by a Preliminary Risk Assessment as well as a Ground Investigation Report, which considers the potential contamination risks present on the site. This has been reviewed by the Council’s Environmental Health team.

The results of intrusive site investigations showed the presence of PAHs in the former parking area. The applicant has proposed a number of mitigation measure to address this including:

- Undertaking further soil sampling;
- Remove contaminated soils and replace with a clean system;
- Submit a Remediation Strategy, followed by Verification Report; and
- Test reused on-site soils to ensure suitability for the proposed end-use.

The Council's Contaminated Land Officer has considered the reports and has recommended a condition requiring a Land Contamination Survey including a detailed land remediation scheme where necessary to be submitted for further assessment. Subject to this condition the proposal is considered acceptable.

#### *Accessibility and fire safety*

Essex County Fire & Rescue Service and the Council's Building Control team have both been consulted and have raised no objections to the proposals. Accessibility and fire considerations will be further reviewed by Building Control during construction to ensure all technical requirements are met including the requirement to meet Part M4(2), which has been secured via condition.

#### *Flood Risk and SuDS*

Policy DM15 states that development proposals should demonstrate that they avoid and reduce the risk of all forms of flooding to future occupants and do not increase the risk of flooding elsewhere.

Meanwhile Policy DM16 requires developments to manage and reduce surface water run-off and seek to manage surface water as close to its source as possible in line with the drainage hierarchy. Policy DM18 sets out the expectation that applications for planning permission will ensure that there is adequate surface water, foul drainage and treatment capacity to serve their development.

The application has been accompanied by a Flood Risk Assessment (FRA) and an updated Drainage & SuDS Strategy which states that the site is in Flood Zone 1, has a low / no risk from fluvial flooding.

The SuDS team at Essex County Council acting as the Lead Local Flood Authority have raised no objection to the application subject to the imposition of conditions pertaining to 1) the submission of a detailed surface water drainage scheme; 2) the submission of a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution; 3) the submission of a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system; and 4) the implementation of yearly logs of maintenance to be carried out in accordance with any approved Maintenance Plan. These conditions are proposed.

In addition, the EFDC Environmental Protection and Drainage team and the Council's Green Infrastructure (GI) officer were consulted and note that the greenfield run-off rate is acceptable and the proposed rain gardens throughout the landscaped areas are welcomed. They have no objection in principle, subject to a condition on the details of surface water drainage.

Thames Water have also been consulted as a key utilities provider and has raised no objections.

#### *Impact on Amenity*

Paragraph H of Policy DM9 requires development proposals to take account of the privacy, overlooking and outlook of future occupiers and existing neighbours.

In terms of overlooking and privacy for future occupiers, the distance between windows of habitable rooms together with the orientation and position of the plots lends itself to high levels of privacy and will ensure that there is an acceptable level of privacy for all homes.

Due to the orientation and placement of the blocks within the development, only the northern flank wall side of Blocks A, B and C will be in close proximity to some existing gardens at neighbouring Caldbeck and as such, there isn't expected to be any adverse impact arising to the occupiers of Caldbeck in terms of overlooking and / or loss of privacy. In addition, occupiers of Roundhills are considered to be of a sufficient enough distance away from the proposed buildings to not be impacted in this respect.

Part (i) of paragraph H Policy DM9 seeks to ensure that adequate levels of sunlight / daylight and open aspects are provided to the users of the development and nearby neighbouring residents.

The constraints of the site results in 17 of the 28 homes being north facing and whilst a Daylight and Sunlight Assessment for future occupiers of the units has not been undertaken, it is noted that all of the units will be dual aspect and are therefore expected to have a good levels of light throughout the daytime.

A Daylight & Sunlight Assessment has been submitted in relation to the impact of the development to surrounding occupiers. This concludes that the Vertical Sky Component (VSC) will be adversely impacted to one property – No.28 Caldbeck. The property will have one window to a habitable room (lounge) impacted (Window 19 as shown on the Window Schedule). However, it is noted that the affected window is a secondary patio window / door to a room which has two other patio windows /

doors: one to the front of the room and one to the rear. Given the affected window is secondary, the impact to the dwelling is considered acceptable in this instance.

Furthermore, given that the proposed dwellings nearest to Caldbeck are two-storey houses and there will be a gap between the northern flank walls of these dwellings and the properties in Caldbeck, it is not considered there would be any adverse impact arising in terms of outlook to either existing neighbouring occupiers or future occupiers of the development. Likewise, the occupiers of Roundhills are considered to be a sufficient enough distance away from the proposed buildings to also not be impacted.

Given the above analysis, the proposed development is considered acceptable in terms of these amenity.

### *Historic Environment – Archaeology*

Policy DM7 seeks to ensure that heritage assets (including archaeological remains) are conserved or enhanced in a manner appropriate to their significance.

ECC have confirmed that the Historic Environment Record indicates that there is evidence for potential archaeological remains within the vicinity of the proposed development, however, it is unlikely that any meaningful archaeological remains have survive. As such no condition is required in relation to archaeology and the proposal is considered acceptable.

### *Landscaping and Trees*

Policy DM3 seeks to ensure that new development will not directly, indirectly or cumulatively cause significant harm to landscape character, the nature and physical appearance of ancient landscapes or geological sites of importance. To that end, proposals should be sensitive to their setting in the landscape and have due regard for local distinctiveness and character. Meanwhile, Policy DM5 seeks developments to retain and enhance existing green infrastructure including trees, use native species and enhance the public realm through the provision of trees.

Whilst the development is not considered to be landscaped led and the applicants have stated the quantum of shared amenity areas across the site is limited to approximately 68sqm in total, it is acknowledged that the site lies adjacent to open amenity land and there is an existing playing fields area nearby.

It is considered there is potential to uplift the landscaping element through the imposition of planning conditions. Subject to the suggested planning conditions the application is considered acceptable in terms of landscaping.

With regards to trees, the submitted Arboricultural Report states that the application proposes to remove nine trees, two groups, and other overhanging elements of two further groups. The report states that the removals are required to facilitate the construction of new private garden areas (including new boundary treatments) and the rear access footpath. The tree removal is also necessary to facilitate landscaping works including new tree planting.

The applicants have agreed to provide additional planting and trees along the southern boundary of the site in response to LPA concerns on noise. Additional planting and trees to the southern part of the site will need to be mindful of maintaining a safe and open rear environment to the pathway in line with Secure by Design principles. As such, subject to conditions the application is considered acceptable in terms of trees and landscaping.

### *Ecology*

Policy DM1 notes that new development proposals should seek to deliver a net biodiversity gain in addition to protecting existing habitats and species. Development proposals which may cause harm to established habitats are required to provide a replacement, alternative habitats of at least equivalent wildlife value.

The application is accompanied by an Ecological Appraisal which sets out the baseline ecology of the application site and assesses the potential impacts of the development and mitigation and enhancement measures which may be required. The submitted appraisal has been reviewed by officers and deemed acceptable subject to implementation.

However, the Ecology Officer notes that the submitted appraisal shows that the on-Site baseline value for habitats has been calculated as 1.62 Habitat Units using the Defra 2.0 metric. This indicates a net loss in biodiversity of 0.98 Biodiversity (Habitat Units). The development is required to meet this shortfall

in measurable net gain for Biodiversity through offsetting contributions as required under paragraph 174 [d] of the National Planning Policy Framework (2021).

The applicant has agreed to this biodiversity offset payment which will be secured via a s106 agreement. Subject to the above, the proposal is considered acceptable and in accordance with Policy DM1.

### *Sustainability, Energy / Climate Change*

In order to achieve sustainable development, the NPPF sets out three overarching objectives: *economic objective; social objective; and environmental objective*.

The NPPF is clear that each of these objectives are interdependent and need to be pursued in mutually supportive ways. On 19th September 2019 the Council declared a climate emergency for the District and set out a pledge that the Council will do everything in its power to make the District carbon neutral by 2030. Policy DM20 seeks to encourage new developments to be of a low carbon energy use. Renewable energy measures in new and existing development are also to be encouraged as far as possible.

An Energy and Sustainability Strategy has been submitted along with a completed EFDC Sustainability Checklist which presents the sustainable aspects of the proposed development. The Energy and Sustainability Strategy and EFDC Sustainability Checklist highlights a number of aspects of the scheme which contribute to the sustainable credentials of the development. These include:

- Reduction of CO2 emissions (an annual 69.4% reduction in CO2 emissions);
- Provision of 15 kWh/m<sup>2</sup>/year renewable electricity from the grid;
- Submission of interim Sustainable Travel Plan, to be finalised via a Section 106 agreement;
- Water saving devices incorporated into the design of the units;
- Proposed use of ethical and responsible supply chains; and
- Zero diversion of biodegradable and recyclable waste to landfill.

Whilst the scheme is generally compliant with the sustainability policies and the aspiration towards 'Passivhaus' principles is supported, there is potential to further uplift the sustainability credentials of the scheme via landscaping conditions. Subject to these conditions the proposal is considered to be compliant with the relevant policies.

### *Highways and Transport*

Policy T1 notes that development should encourage sustainable modes of travel through their promotion, improving accessibility to services and supporting the transition to a low carbon future. The policy further notes that development proposals will be permitted where they: (i) integrate into existing transport networks; (ii) provide safe, suitable and convenient access for all potential users; (iii) provide on-site layouts that are compatible for all potential users with appropriate parking and servicing provision; and (iv) do not result in unacceptable increases in traffic generation or compromise highway safety. This is echoed in paragraph 111 of the NPPF whilst paragraph 112(a), where it notes that development should give priority to pedestrian and cycle movements.

The applicant has submitted a revised Transport Assessment (TA) which has been reviewed by officers at both Epping and Essex County Council Highways. No objection has been raised.

The application proposes 35 car parking spaces, including 7 for visitor parking. The parking spaces to the six 3 bedroom dwellings will each have active EV charging points and there will be one additional active EV charging point in a visitor car parking space. Additionally, 43% (15) passive EV charging points are proposed. However, a Parking Management Plan will be secured under condition to support continued usability.

36 cycle parking spaces comprising 1 space per dwelling (28 in total) and 8 visitor cycle spaces are proposed. This is considered policy compliant. Specifications for the cycle storage will be secured by condition.

An Interim Travel Plan has been submitted outlining further sustainable transport initiatives. A final Travel Plan will be secured under s106 and shall include details for implementation and monitoring.

In summary, given the relatively low parking provision and reasonably accessible location of the development, it is not considered that the proposal will result in any increase in vehicular trips when compared to its previous use. Whilst it is noted that concern has been raised by neighbouring occupiers in respect of overspill parking and lack of traffic calming measures at the site entrance, conditions will be applied requiring a Parking Management Plan to be submitted in order to mitigate any adverse impact to existing residents. It should be noted that the roads in the development will be private and as such not maintained by the local Highway's Authority.

Subject to the implementation of the conditions / Heads of Terms in the legal agreement outlined above, the application is considered acceptable in terms of highways and transport.

### *Infrastructure*

The Local Plan Policy D1 has identified that significant investment is required in order to deliver sustainable and balanced growth across the District and to continue to meet the needs of residents and businesses. Infrastructure may include a wide remit including transport, utilities, flood and surface water management, open space and social and community infrastructure. In order to set out necessary infrastructure requirements in a detailed and clear way, the Council has produced an Infrastructure Delivery Plan (IDP) to help manage the future growth of the District.

The IDP is split into development areas and identifies the various interventions necessary within each area. Areas of particular relevance to this application are set out below:

### *Active Transport Improvements*

A number of Active Transport Improvements i.e cycle and footpath improvements are identified within the IDP for Waltham Abbey and the Epping Forest District Cycle Action Plan. However, the application is providing a new cycleway and footpath to the eastern boundary as part of the development as well as retaining a footpath link to the south / south-west. As such a further contribution is not considered appropriate in this instance.

### *Highways Works*

Potential Highway Works are identified within the IDP for Waltham Abbey with a site apportionment formula detailing how the cost will be spread over a number of schemes. However, it is considered that given the size, nature and location of the scheme, it is not appropriate to prioritise junction contributions in this instance.

### *Education and Libraries*

ECC Infrastructure Planning have confirmed the following requirements to mitigate the impact of the increase resident population:

- Early Years and Childcare (EY&C) – £43,515 (£17,268 per place)
- Primary Education - £145,051 (£17,268 per place)
- Libraries – £2,178.40 (£77.80 per unit)

### *Health*

The proposal although small in scale will have some impact on the capacity of healthcare provision in the area. As such and in line with the IDP (reference WAB32) a contribution of towards the required funding for the provision of capacity to absorb the patient growth generated by the development has been identified.

### *Employment and skills*

Part (v) of paragraph F of Policy SP2 seeks to ensure that suitable training and skills development opportunities are provided to local residents to equip them with the skills they need to access future employment opportunities.

The Council is committed to ensuring local residents get the best possible opportunities for training and employment in relation to this development proposal and as such an Employment and Skills Plan (ESP) is proposed to be secured via the Section 106 legal agreement. The ESP will ensure that employment opportunities, training opportunities and appropriate level of apprentices are provided as part of the construction works.

## **Equality Duties and Human Rights**

Section 149 of the Equality Act (2010) requires that a public authority must exercise its functions having due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic (age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation) and persons who do not share it, and foster good relations between persons who share a relevant protected characteristic and persons who do not. In making this recommendation, due regard has been given to this Public Sector Equality Duty and the relevant protected characteristics. It is considered that there will be no specific implications and that, if approving or refusing this proposal, the Council will be acting in compliance with its duties.

The Human Rights Act (1998) makes it unlawful for a public authority to act in a way which is incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise. Careful consideration has been given to the rights set out in the European Convention on Human Rights, in particular Article 6 (right to a fair trial); Article 8 (right to respect for private and family life; Article 14 (prohibition of discrimination); and Article 1 of the First Protocol (right to peaceful enjoyment of possessions).

The Council is of the opinion that the recommendation does not interfere with any such rights except insofar as is necessary to protect the rights and freedoms of others. The Council is permitted to control the use of property in accordance with the public interest and the recommendation is considered a proportionate response to the submitted application based upon the considerations set out in this report. Officers have had due regard to all the above Acts and directions and are satisfied the approval of the development would not affect any protected characteristic in a disproportionate manner.

## **Conclusion**

The NPPF para 11(d) states that determinations must be made in accordance with the development framework unless material considerations indicate otherwise. The scheme has been assessed against this framework and officers have worked with the developer to ensure the scheme provides for the most beneficial outcome.

The principle of development has been assessed against the adopted Local Plan and deemed to be in general compliance. The proposed re-use of brownfield land for 28 residential units within an accessible and sustainable residential location is supported.

The design language for the scheme has been influenced by the character of the location, comments from the Design Panel and preapplication stage. Further design development work has been secured via condition, including materials and improvements to the flank walls of Blocks A, B and C. The subject site does not lie within a conservation area or within close proximity to any heritage assets. As such, the proposal is considered acceptable.

In respect of the units, all units are able to meet the required spatial standards and quality of space. The proposed housing mix is considered acceptable for the location. The development has focused on private garden development which would provide private areas of amenity. However, officers consider that further landscaping details are required which have been secured via condition.

The provision of 18% affordable housing is proposed. Whilst the quantum of affordable housing is not policy compliant, the FVA information submitted by the applicant has been reviewed by the Council's viability consultants who have confirmed that this is the maximum percentage that is viable on the site. Given this, the overall level of proposed affordable housing is considered acceptable. This is subject to a late-stage review clause in the section 106 agreement enabling the Council to capture any subsequent uplift in value generated by the scheme post-decision.

Financial contributions in line with the infrastructure provisions and Local Plan have been secured to ensure the scheme makes a positive contribution to wider improvements within the local.

The site is located within Flood Zone 1 and is at low risk from all sources of flooding. The application has been accompanied by a Flood Risk Assessment (FRA) which has been reviewed by EFDC and ECC Land Drainage and SuDS teams. No objection has been raised subject to recommended conditions being imposed.

With regard to the impact on surrounding residential properties, the most affected property – in relation to daylight and sunlight, would be No.28 Caldbeck. This property will have one window to a habitable room (lounge) impacted. However, the affected window is a secondary patio window / door to a room which has two other patio windows/ doors. Given the affected window is secondary, the impact to the

dwelling is considered to be acceptable in this instance. Officers conclude that there would be no other adverse amenity impacts arising in terms of the residential use, privacy / overlooking and / or sense of overbearing/ enclosure and outlook. Taking the above into consideration the application is acceptable in respect of amenity impact to neighbouring occupiers.

With regard to highways matters, given the relatively low parking provision and reasonably accessible location of the development it is not considered the proposal would result in a significant increase in vehicular trips when compared to the site's previous use. Additionally, no unacceptable impact on highway safety is likely. In combination with a final submitted Travel Plan, secured by way of condition. In general, the application demonstrates that the environmental impact of the proposal would be acceptable, subject to appropriate mitigation. There would be no adverse effect on the integrity of the EFSAC, no air quality degradation, no increased flood risk and no significant risk to human health from contamination. Archaeological and ecological assets would be safeguarded as a result of the proposal, and biodiversity net gain secured.

In light of the above, the application is recommended for **APPROVAL** subject to associated conditions and section 106 Heads of terms.

[1] As measured on Google Maps.

[2] Updated 'Noise Impact Assessment and 'MVHR Design Note' submitted to the LPA 28.10.2021

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***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: Nanayaa Ampoma  
Direct Line Telephone Number: 01992 564481***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

**Conditions: (28)**

- 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:

1000; 240645-PUR-00-SL-DR-A-2000 P08  
240645-PUR-00-SL-DR-A-2001 P16;  
240645-PUR-00-ZZ-DR-A-2002 P05;  
240645-PUR-01-GF-DR-A-2004 P05;  
240645-PUR-01-01-DR-A-2005 P02;  
240645-PUR-01-02-DR-A-2006 P02;  
240645-PUR-01-RF-DR-A-2007 P02;  
240645-PUR-01-ZZ-DR-A-2008 P03;  
240645-PUR-01-ZZ-DR-A-2009 P03;  
240645-PUR-02-GF-DR-A-2011 P05;  
240645-PUR-02-GF-DR-A-2012 P02;  
2450645-PUR-02-RF-DR-A-2013 P02;

240645-PUR-02-ZZ-DR-A-2014 P03;  
240645-PUR-02-RF-DR-A-2015 P03;  
240645-PUR-03-GF-DR-A-2017 P04;  
240645-PUR-03-01-DR-A-2018 P03;  
240645-PUR-03-RF-DR-A-2019 P02;  
240645-PUR-03-ZZ-DR-A-2020 P03;  
240645-PUR-03-ZZ-DR-A-2021 P03;  
240645-PUR-04-GF-DR-A-2023 P04;  
240645-PUR-04-01-DR-A-2024 P02;  
240645-PUR-04-02-DR-A-2025 P04;  
240645-PUR-04-RF-DR-A-2026 P03;  
240645-PUR-04-ZZ-DR-A-2027 P05;  
240645-PUR-04-ZZ-DR-A-2028 P03;  
240645-PUR-05-GF-DR-A-2030 P04;  
240645-PUR-05-01-DR-A-2031 P03;  
240645-PUR-05-RF-DR-A-2032 P03;  
240645-PUR-05-ZZ-DR-A-2033 P03;  
240645-PUR-05-ZZ-DR-A-2034 P03;  
240645-PUR-00-ZZ-DR-A-2036 P10;  
240645-PUR-00-ZZ-DR-A-2038 P08;  
240645-PUR-00-ZZ-DR-A-2040 P08;  
240645-PUR-00-ZZ-DR-A-2042 P08;  
240645-PUR-00-XX-DR-A-2043 P03;  
240645-PUR-00-XX-SC-A-2045 P04 (14/10/2022);  
76753-CUR-00-XX-DR-TP-05001-P04\_SPACar (Parking);  
76753-CUR-00-XX-RP-TP-00002-V01\_Roundhills Interim Travel Plan;  
240645-PUR-00-SL-DR-A-2099-P01-;  
76753 CUR 00 XX DR TP 05009 P01;  
240645-PUR-00-SL-DR-A-2098 P01;  
200662-P-10 (Aug 2020);  
2042-WWA-ZZ-XX-DR-L-0701 (PL 02);  
76753 CUR 00 XX DR TP 05008 P08;  
076952-CUR-00-XX-RP-GE-001 Revision: [01];  
TMA 200662-PD-10-Tree schedule;  
Daylight and Sunlight Assessment for Planning (Rev 03), (June 2021); Phase 2 Ground Investigation Report (V02) (Feb 2021); Energy Assessment and Sustainability Strategy (P03) (June 2021); Lighting Assessment (P03) (June 2021); Drainage And SuDs Strategy (04) (May 2021); Habitat Regulation Assessment Note (01) (June 2021); Sustainability Guidance (Sept 2021); Archaeological Desk-Based Assessment (01) (Aug 2020); Outline Construction Phase Plan (2) (May 2021); Phase 3 Remediation Strategy; Issue Date: 16 November 2021; Phase 2 Ground Investigation; Report (V03) (Nov 2021); Ecology Appraisal (Rev 01) (May 2021); Flood Risk Assessment (04) (May 2021); Arboricultural Report (July 2021); Air Quality Assessment (May 2021); Mechanical Ventilation (01) (Oct 2021); Interim Travel Plan (01) (June 2021); Noise Impact Assessment (02) (October 2021); Land off Roundhills Landscape and Visual Appraisal (PL03) (June 2021); CMP (01) (Nov 2022); Construction Phase & Logistics Plan (Ver 1) (Nov 2022); Green Belt Addendum to the Planning Statement (Jan 2022); Statement of Community Involvement (01) (June2021);

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended). For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

Prior to the commencement of any above ground works, details of the finished floor levels of the buildings of the development hereby permitted in relation to existing ground levels shall be 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 that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, the amenities of neighbouring occupiers and existing trees, hedgerows and other landscaping, in accordance with Policies T1, DM9, DM18 and DM19 of the Local Plan (2023).

- 4 Prior to the commencement of above ground works, revised fenestration details for the side elevations of Blocks A, B and C shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall be in broad accordance with the details shown under the approved details at condition 2, however, will replace the side elevation details noted in those drawings. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area and to improve wayfinding through the development, in accordance with Policy DM9 of the Local Plan (2023) and the NPPF (2021).

- 5 Prior to the commencement of development above slab level, detailed drawings and samples of all materials (or documentary and photographic details where samples are unavailable) to be used in the construction of the external surfaces of the development, including any external cladding and internal cladding that is decorative and visible externally, decorative fascia or panels, balustrades and glazing, hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. Detailed drawings and samples shall include: - Sample brick wall - Junction details (1:20) - Typical window details (1:20) - Balconies / terraces (1:20) - All samples in relation to principle elevations

Reason: To ensure a high-quality design and satisfactory appearance to the development in the interests of visual amenity of the area, in accordance with policy DBE1 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 6 The proposed residential units hereby permitted shall be carried out in general accordance with Part M4(2) Category 2 (Accessibility and Adaptable Dwellings) as set out in the Building Regulations 2010 Access to and Use of Buildings Approved Document M Volume 1: Dwellings. Prior to occupation of the residential units, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with Part M2(s) Category 2. The proposed development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed mix of residential accommodation provides for all new homes to be accessible and adaptable as defined by the Building Regulations. To comply with Policy H1 of the Local Plan (2023) and the NPPF 2021.

- 7 Prior to construction works commencing a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme

whose purpose shall be to control and minimise emissions of pollutants from and attributable to the construction of the development. This should include a risk assessment and a method statement in accordance with relevant guidance such as IAQM's assessment of dust from demolition and construction guidance and the control of dust and emissions from construction and demolition best practice guidance published by the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place. The details and measures contained in the approved construction management statements shall be fully implemented and remain in perpetuity of the permission.

Reason: Dust and other air pollution from demolition and construction can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. To help support improvements to tree in accordance with Policies T1 and DM22 of the Local Plan and NPPF (2021).

- 8 Prior to commencement of works on site the following information shall be submitted to the Local Planning Authority for approval: i) A three-months baseline air quality monitoring report including details of how baseline air quality shall continue to be monitored for the duration of the earthworks and construction phase. ii) A dust monitoring method statement including monitoring locations, pollutants being monitored, trigger levels and proposed action should trigger levels be reached.

Reason: To ensure that detrimental air quality levels do not occur in accordance with Policies T1 and DM22 of the Local Plan and the NPPF (2021).

- 9 Prior to the commencement of the development hereby permitted (including ground works, vegetation clearance), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: (a) Risk assessment of potentially damaging construction activities. (b) Identification of "biodiversity protection zones". (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). This should include a method statement for Great Crested Newts. (d) Measures to protect badgers from being trapped in open excavations and/or pipe culverts. (e) The location and timings of sensitive works to avoid harm to biodiversity features. (f) The times during which construction when specialist ecologists need to be present on site to oversee works. (g) Responsible persons and lines of communication. (h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. (i) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid or mitigate the effects of the construction of the development on ecological receptors, in accordance with Policies DM3, DM5 and DM9 of the Local Plan (2023).

- 10 Further to details provided in submitted document Ecological Appraisal Issue 01 dated May 2021 by BSG Ecology the development shall not be commenced until a full Ecology Survey and Implications Assessment of the site by a qualified ecologist has been submitted to and approved in writing by the Local Planning Authority. The submitted document shall assess the biodiversity

impact of the development and propose any necessary mitigation measures. Development shall be undertaken only in accordance with the approved details.

Reason: To minimise damage to biodiversity, in accordance with Policy DM1 of the Local Plan (2023) and the NPPF (2021).

- 11 No development hereby approved shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment by Curtins Ref: 076952-CUR-00-XX-RP-C-92001 rev V05 and the Drainage & S Strategy by Curtins Ref: 076952-CUR-00-XX-RP-D-92002 rev P06. The surface water drainage scheme should include:
- Limiting discharge rates to 1.6l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated;
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. All proprietary treatment devices should have the simple index mitigation indices provided by the manufacturer. If these are not available then an alternative device should be used. Please note that silt traps, gullies, and catchpits are not accepted as suitable means of treatment.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason: To prevent an increased risk of flooding and to prevent the pollution of the water environment, in accordance with Policies DM16, DM18 and DM19 of the Local Plan (2023) and the NPPF (2021).

- 12 Following the required works identified in the submitted Remediation Strategy (Phase 3 Remediation Strategy November 2021) if unacceptable risks are identified from land affected by contamination, no work on any part of the development shall take place, until a detailed land remediation scheme has been 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 Policy DM21 of the Local Plan (2023) and the NPPF (2021).

- 13 Prior to first occupation of the development hereby permitted a plan indicating the position, design, materials, and type of boundary treatment to be erected, shall have been submitted to an approved by the Local Planning Authority, in writing. The approved boundary treatment shall be implemented prior to the occupation of the development and so retained.

Reason: To ensure the safe movement of vehicles between the highway and off-street parking areas and to ensure a satisfactory appearance of the development, in accordance with Policies T1 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies ST4 & DBE1 of the adopted Local Plan 1998 & 2006.

- 14 Prior to the commencement of works, a scheme of hard and soft landscaping for the site, including details of materials, species and a planting schedule shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping details shall include but not be limited to: a. details of any existing features to be retained; b. proposed finished levels or contours; c. hard surfacing materials; d. means of enclosure; e. car parking layouts; f. other vehicle and pedestrian access and circulation areas; g. secure cycle storage facilities; h. refuse facilities; i. other minor structures, including furniture; j. existing trees and hedgerows to be retained; k. soft landscaping details including plans for planting and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/ densities; l. tree/ hedgerow removal (inclusive of additional tree planting at southern boundary) ; and m. Landscape management 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. If any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area in accordance with Policies DM3 and DM5 of the Local Plan (2023) and the NPPF (2021).

- 15 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural Report 200660-PD-11 (TMA: March 2021) 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 6 months or during the next planting season (whichever is the sooner) at the same place, unless the Local Planning Authority gives its written consent to any variation. 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 6 months or during the next planting season (whichever is the sooner), be planted at the same place. .

Reason: 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 and DM5 of the Local Plan (2023) and NPPF (2021).

- 16 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement and Tree Protection shall be installed as shown on Tim Moya Associates drawing number 200662-P-11 dated July 2021 unless the Local Planning Authority gives its prior written approval to any alterations.

Reason: To safeguard and enhance the visual amenity of the area and to ensure a satisfactory appearance to the development. In accordance with Policy DM9 of the Local Plan (2023) and NPPF (2021).

- 17 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0730 to 1830 Monday to Friday & 0800 to 1300 hours on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority..

Reason: In the interests of the amenities of noise sensitive properties in accordance with Policy DM9 of the Local Plan (2023).

- 18 Prior to commencement of the development hereby permitted, a swept path analysis shall be submitted and approved in writing by the Local Planning Authority and shall include the following: a) Large car accessing car parking spaces to demonstrate that they can be safely entered and departed from. This should be demonstrated for the car parking spaces that are in corners and for one midway in any row; b) Swept path assessment for a fire tender manoeuvring within the site to demonstrate that a fire tender can safely manoeuvre within to access all units c) Confirmation that tractor access can be gained through the site into King George Playing Fields d) Swept path assessment for a refuse vehicle to demonstrate that refuse collection and servicing can take place to serve the development;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policy T1 of the Local Plan (2023).

- 19 Prior to the first occupation of the development the access arrangements, as shown in principle on drawing no. 2042-WWA-ZZ-XX-DR-L-0101 Rev PL04, including the removal of the brick piers and making good of the carriageway and footway as necessary, shall be fully implemented, with all details being agreed with the Highway Authority.

Reason: To ensure that safe and efficient access is provided in accordance with Policies T1, DM9 and DM22 of the Local Plan (2023).

- 20 Prior to the first occupation of the development the 3.5m ped/cycle facility, as shown in principle on drawing no. 2042-WWA-ZZ-XX-DR-L-0101 Rev PL04, shall be fully implemented from its connection with the highway at Roundhills to the south-east corner of the site, approx. 50m. This

shall include full depth and width reconstruction and surfacing as required with the completed facility being adopted as highway. All details to be agreed with the Highway Authority.

Reason: In the interests of promoting sustainable development and transport in accordance with Policies T1, DM9 and DM22 of the Local Plan (2023).

- 21 The residential cycle parking facilities, as shown on the approved plans, are to be provided prior to the first occupation of the development and are to be retained as such at all times.

Reason: To ensure appropriate bicycle parking is provided in accordance with Policy T1 of the Local Plan (2023). & 2006.

- 22 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure appropriate bicycle parking is provided in accordance with Policy T1 of the Local Plan (2023).

- 23 Prior to 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 in accordance with Policy T1 of the Local Plan (2023)..

- 24 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.

Reason: To help support improvements to air quality in accordance with Policy T1 and DM22 of the Local Plan (2023) NPPF (2021).

- 25 Prior to first occupation of the development hereby approved, 10% of the visitor car parking spaces shall be developed as disabled spaces.

Reason: To help support improvements to air quality in accordance with Policy T1 and DM22 of the Local Plan (2023) NPPF (2021). son: To help support improvements to air quality in accordance with Policy T1 and DM22 of the Local Plan (2023).

- 26 Prior to occupation a Parking Management Plan and strategy shall be submitted and approved to the local authority. The approved details shall be implemented as agreed and remain in perpetuity.

Reason: Reason: In the interest of highways and pedestrian safety and the character and appearance of the development, in accordance with Policies T1 and DM9 of the Local Plan (2023).

- 27 Details of any external lighting of the site shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of the development. This information shall include layout and elevation plans with beam orientation, light spill and a schedule of equipment to be installed (luminaire type, mounting height, aiming angles and luminaire profiles) and details of when all non-essential external lighting for the development shall be non-illuminated. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the use of the lighting 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 and Alterations, and Policies DM9 & DM21 of the Local Plan (2023) and the NPPF (2021).

- 28 All site lighting shall be located, shielded or angled in a manner that does not cause disturbance, alarm or distress to occupants of any nearby dwellings.

Reason: To ensure that the use of the lighting 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 and Alterations, and Policies DM9 & DM21 of the Local Plan (2023) and the NPPF (2021).