

Report to District Development Management Committee

Date of meeting: 28 November 2018

Address: 1 Buttercross Lane, Epping



**Epping Forest
District Council**

Subject: Planning Application EPF/1583/18 – Demolition of existing house and replacement with 9 apartments.

Officer contact for further information: J. Shingler (01992 564106)

Democratic Services Officer: S. Tautz (01992 564180)

Recommendation(s):

That planning application EPF/1583/18 be granted planning permission, subject to the completion within six months of a Section 106 Agreement to secure appropriate financial contributions towards (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); and (b) mitigation of air pollution impacts on the Epping Forest SAC; and to the following planning conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice;

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended);

- (2) The development hereby permitted will be completed strictly in accordance with the approved drawings no's: 1A, 2CD, 3C;

Reason: To ensure the proposal is built in accordance with the approved drawings;

- (3) No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself;

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with the guidance contained within the National Planning Policy Framework and policies DBE1 [or DBE10 when related to a residential extension], HC6 and HC7 of the adopted Local Plan and Alterations;

- (4) Prior to first occupation of the development hereby approved, the proposed window openings in the north flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor

of the room in which the window is installed and shall be permanently retained in that condition;

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with the guidance contained within the National Planning Policy Framework and policy DBE9 of the adopted Local Plan and Alterations;

- (5) The Biodiversity Enhancement and Management Plan (BEMP) submitted by SES in May 2018 should be adhered to. Any changes to the document and/or working practices should be reported to EFDC by the Ecological Clerk of Works (ECOW) for consent;

Reason: In the interests of conserving and enhancing the natural environment, in accordance with the guidance contained within the National Planning Policy Framework Chapter 11: Conserving and enhancing the natural environment and Local Plan Chapter 7: Nature Conservation;

- (6) A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan;

Reason: The development is located in an area identified as being in an Epping Forest District Council flood risk assessment zone and would be likely to result in increased surface water run-off, in accordance with the guidance contained within the National Planning Policy Framework and policy U2B of the adopted Local Plan and Alterations;

- (7) No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details;

Reason: To ensure satisfactory provision and disposal of foul and surface water in the interests of public health, in accordance with the guidance contained within the National Planning Policy Framework and policy RP3 [and U3B if SUD's are required] of the adopted Local Plan and Alterations;

- (8) 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, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works;

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered;

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 the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations;

- (9) Additional drawings that show details of proposed new windows and door to be used, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any works;

Reason: To ensure the proposed works preserve the special architectural and historic interest of the building.

- (10) Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved in writing by the Local Planning Authority prior to starting any work on site;

Reason: To ensure the proposed works preserve the special architectural and historic interest of the building;

- (11) Additional drawings of the type, colour, and position of new boundary treatments shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works;

Reason: To ensure the proposed works preserve the special architectural and historic interest of the building;

- (12) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/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 the guidance contained within the National Planning Policy Framework and policies RP5A and DBE9 of the adopted Local Plan and Alterations; and

- (13) The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority;

Reason: In the interests of visual and residential amenity in accordance with policies CP2 and CP5 of the Adopted Local Plan and Alterations.

Report:

1. This application is presented to the District Development Management Committee following a minority reference from Area Plans Sub-Committee East following a tied vote on the recommendation to grant planning permission. The officer recommendation remains to grant consent. The original report to the Area Sub-Committee is reproduced below:

Description of Site:

A 0.25a site with a width of 21m and a depth of 57m located to the west of Buttercross Lane, itself a cul-de-sac accessed via a passage between the flank walls of buildings on the High Street within the built-up area of Epping. The site is currently occupied by a two-storey detached house built in the 1950's with a maximum width of 17.6m. The area is characterised by close knit two storey dwellings and flatted buildings of mixed designs and styles with narrow frontages, predominantly two-storey with tiled roofs and rendered or brick walls. The south-west of the site is screened by mature trees and hedging and backs onto a car parking area and two storey buildings to the rear of the High Street. To the immediate north of the site is a two-storey building, with a three-storey building to the east on the opposite side of Buttercross Lane. The site is within the Epping Conservation Area.

Description of Proposal:

Planning permission is sought for the redevelopment of the site comprising the demolition of the existing two storey house and garage and the construction of a three-storey block of 9 flats, comprising 8 two-bedroom flats and 1 one-bedroom flat, with associated parking and landscaping. The proposed building would have an L-shaped footprint with its most prominent elevation facing Buttercross Lane, the ground and first floor would each provide 3 two-bedroom flats and the second floor would provide 2 two-bedroom flats and 1 one-bedroom flat. The building to accommodate the flats would have a central communal entrance door on the principal elevation and would resemble a substantial detached house of a contemporary style. The façade of the building would be finished in red brick at ground floor level with a dentil course above ground floor lintels to separate it from the white timber cladding and jetting proposed at first and second floor level. A red clay roof tile is proposed for the roof. The building would have a maximum width of 16m and a maximum depth of 23.7m. Vehicular access to the building would be via a new crossover proposed to the right of the building on Buttercross Lane. Nine car parking spaces, an electric vehicle charging point, bicycle storage, bin storage and an amenity space would be set to the rear of the building.

Relevant History:

EPU/0073/58 – Erection of dwelling house: Planning Permission.
TPO/EPF/0001/75 – (TPO/ESX/5/53). Proposed lopping of preserved tree in rear garden: Approved with conditions.

Policies Applied:

Epping Forest Local Plan (1998) and Alterations (2006):

CP1 Achieving sustainable development objectives

CP2 Protecting the quality of the rural and built environment
 CP3 New development
 CP4 Energy conservation
 CP5 Sustainable building
 CP6 Achieving sustainable urban development patterns
 CP7 Urban form and quality
 DBE1 Design of new buildings
 DBE2 Effect on neighbouring properties
 DBE3 Design in urban areas
 DBE6 Car parking in new development
 DBE8 Private amenity space
 DBE9 Excessive loss of amenity to neighbouring properties
 DBE11 Sub-division of residential properties
 ST1 Location of development
 ST2 Accessibility of development
 ST4 Road safety
 ST6 Vehicle parking
 H2A Previously developed land
 H3A Housing density
 H4A Dwelling mix
 LL11 Landscaping schemes
 RP4 Contaminated land
 NC1 - SPAs, SACs and SSSIs
 NC4 - Protection of established Habitat

The National Planning Policy Framework:

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in

arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP1 Presumption in favour of sustainable development
SP6 The natural environment, landscape character and green infrastructure
H1 Housing mix and accommodation types
H2 Affordable housing
T1 Sustainable transport choices
DM2 Epping Forest SAC and Lee Valley SPA
DM9 High quality design
DM10 Housing design and quality
DM11 Waste recycling facilities on new development
DM15 Managing and reducing flood risk
DM18 On site management of waste water and water supply
DM21 Local environment impacts, pollution and land contamination
DM22 –Air quality
HC7 Development within conservation areas

Representations Received:

29 Neighbours were consulted and a site notice was displayed.

Responses:

PETITION – Object, 196 signatures from local residents and frequent visitors to the area who all know Buttercross Lane and oppose the proposal.

2 BUTTERCROSS LANE – Object, proposal does not take previous planning appeal decisions into account, increased traffic, impact on pedestrian safety, not in keeping with the street scene, dominant and intrusive, impact on the Conservation Area.

THE LITTLE HOUSE, 3 BUTTERCROSS LANE – Object, proposal conflicts with decisions of three planning appeals regarding planning applications for residential development at No. 2 Buttercross Lane, intrusive feature within the street scene, roof will be 3 metres higher than No. 3, 9 flats will intensify development, detract from the openness of the lane, out of scale with adjoining houses, would set a precedent for similar development down the lane outside the Conservation Area, parking concerns, increased traffic, concerns regarding amenity space, does not conform with existing pattern of development, unclear plans, failure to conform to standards of design and density, no improvement or enhancement on the openness and appearance of the Conservation Area,

5 BUTTERCROSS LANE – Object, increased traffic, parking concerns, disruption due to building works, impact on Conservation Area, impact on view, overlooking, impact on character and value of property.

5A BUTTERCROSS LANE – Object, impact on area, increased traffic, parking concerns, impact on architectural and historical aspects.

6 BUTTERCROSS LANE – Object, impact on appearance of lane, dominant and overbearing, out of scale, impact on pedestrian safety.

7A BUTTERCROSS LANE – Object, impact on Conservation Area, out of keeping with the lane, overdevelopment of site, increased traffic, parking concerns, impact on pedestrian safety, impact on character of Epping, disruption to neighbouring residents and workers in the High Street.

9 BUTTERCROSS LANE – Object, increased traffic, parking concerns, impact on pedestrian safety, would set a precedent for further similar developments, impact on Conservation Area.

3 THE SADDLERY, 1B BUTTERCROSS LANE - Object, negative impact on way of life, impact on value of property, concerns regarding overdevelopment of site, increased traffic, disturbance and noise, overbearing, visual impact, loss of privacy, impact on Conservation Area, disrespects neighbouring residents.

68 RAYFIELD, EPPING – Object, impact on amenity and Conservation Area

ROSE FARM, THORNWOOD COMMON – Object, size of proposal, impact of increased traffic, drawings unclear, overdevelopment of site, potential for overlooking and loss of privacy.

14 MORRISON AVENUE, POOLE – Object, increased traffic, impact on pedestrian safety, parking concerns, noise, disturbance to residents.

EPPING TOWN COUNCIL – Object, Committee strongly OBJECT to this application. This proposal will have a dramatic and negative impact on the conservation area. The proposal is a vast overdevelopment of the site in terms of density and height, having three storeys, which would result in an overly dominant and irreversible effect on the street scene. The proposal would decimate the street scene of this historic lane and the character of the road would be lost. The whole development does not fit within this part of the conservation area.

The proposal would be excessively overbearing and turn a family home into nine flats which would constitute mass overdevelopment. The size and dominance of the building would create a tunnelling effect. The density far exceeds that which is laid out in Policy. The intensification of use from a detached family home to nine individual apartments would impact adversely on the surrounding area in terms of visual impact, noise nuisance, disturbance and additional traffic.

The vast increase in the number of vehicles using the property would have a harmful effect on Highway safety and on the character of the area through which the new traffic would move. The site is not large enough to accommodate larger scale movement of traffic. There is no allowance for visitors parking to the flats, would result in additional cars parking in the neighbouring roads which already suffer from parking and congestion problems. There are severe parking issues in Epping and the insufficient parking from this scheme will add to the problems. The generation of additional traffic and refuse in this already busy location, will result in a loss of amenity in terms of noise and disturbance. Buttercross Lane is a narrow road and this proposal would make access difficult for emergency vehicles as well as refuse vehicles.

Committee object to the loss of this large family house, which are as necessary as flats and do not feel this is a suitable location. A mix of dwelling types is required and removing large, family homes does not contribute to this objective. Constantly granting permission for flats at the expense of good quality family homes, will adversely affect the mix of dwelling types available in the town and alter the core character of this historic lane.

National policy states that the character of individual areas must be taken into consideration and this development does not respect the conservation area of the town centre. Local and national policy state that the emphasis should be improving the quality of life in urban areas, not reducing that quality for future generations. Constantly allowing flats at the expense of family houses, reduces the mix of dwelling types available and thus reduces choice. The

need for flats is being catered for within the new Draft Local Plan and building plans set until 2033 within such plan.

There would be a loss of trees and loss of greenery which would generate increased pollution.

The resulting loss of amenity for neighbouring properties in terms of its overbearing nature, visual impact, additional traffic and nuisance is not acceptable and contravenes policy.

Relevant policies: CP2, CP6, CP7, DBE1, DBE2, DBE9, H3A, H4A, ST4, ST6.

Emerging Local Plan: H1A (ii) & (iii), DM9J

NPPF: Paras 9,17, 53, 55, 64

Issues and Considerations:

The key issues for consideration in relation to this proposal are the principle of development, amenity considerations, design, highways and parking, impact on the character and appearance of the Epping Conservation Area.

Principle of Development:

The application site is located within the urban area of Epping, adjacent to the designated town centre. Epping is one of the larger built up towns in the District, is well served by local services and amenities and has excellent public transport links. The 'golden thread' running through the NPPF in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of the redevelopment of this site is considered to accord with this presumption and therefore this should be afforded significant weight. Furthermore, the redevelopment of this site would constitute the reuse of previously developed land. The NPPF and Local Plan policy H2A encourage the reuse and intensification of use of such sites. Notwithstanding this, applications still need to be assessed on their individual merits.

Amenity Considerations:

The proposed development would replace an existing two-storey dwelling with a considerably larger three storey block of flats. The proposed 4m gap between the proposed building and No. 3, the neighbouring property to the north-west would represent a 1.5m increase on the existing gap between the properties. No. 3 has a staggered footprint set marginally further back than the proposed building and whilst there is a 3m difference in height between No. 3 and the proposed building, the element of the proposed building immediately adjacent steps down 1.6m, to reduce the height difference. Given that the rear element of the proposed building is set 12.5 metres away from the shared boundary, the concerns regarding the difference in height and the dominant and intrusive form of the proposed building, while noted are not considered to be sufficient grounds to warrant refusal of the application. Windows on the north elevation of the proposal serve bathrooms and kitchens in the main and a condition can be imposed to obscure glaze these windows in order to prevent overlooking and loss of privacy to No. 3.

The south and west elevations of the proposal back onto a car park to the rear of the High Street and would not significantly impact the nearby properties. Whilst concerns have been raised regarding the potential for disturbance and noise as a result of construction works this is not a material planning consideration, nevertheless this has been noted and a condition can be imposed regarding construction works.

Local Plan policy DBE8 and the Essex Design Guide suggest 25 sq. m. of communal amenity space for each flat when assessing new residential dwellings. Given this requirement, the proposed development would necessitate 225 sq. m of communal amenity

space to serve this development. Whilst the amenity space indicated on the submitted plans is at variance with the requirements of policy DBE8, it is not considered sufficient grounds to reasonably refuse permission since it is generally accepted that properties within town centres can provide less amenity space and the application site is within walking distance of both Lower Swaines Recreation Ground and Stonards Hill Recreation Ground.

Design:

Paragraph 127 of the NPPF sets out that *“planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”*. With regard to the appearance of the proposal, the proposal has been designed to appear from the front as a large detached house and would continue to be set back from the road by 4.5m, increasing to 6.5m as the road progresses to the north-east. Policy DBE1 requires that new buildings *“(i) respect their setting in terms of scale, proportion, siting, massing, height, orientation, roof-line and detailing; (ii) are of a size and position such that they adopt a significance in the street scene which is appropriate to their use or function; and (iii) only employ external materials which are sympathetic in colour and texture to the vernacular range of materials”*. Whilst the bulk, mass and scale of the proposed building is greater than the existing dwelling, the increase in height is mitigated by the continued retention of the existing setback from Buttercross Lane, the 1.6m decrease in width of the principal elevation and the breaking up of the elevations by use of different materials. Whilst the objections from neighbouring residents and the comments from Epping Town Council and the Epping Society regarding the visual impact of the proposal are noted, it is considered that subject to quality materials being used and appropriate detailing of eaves soffits and fenestration being submitted for approval, the development will fit well within the Conservation Area and the streetscene. (Impact on the conservation area is covered in more detail below) While it is accepted that the majority of neighbouring properties are predominantly two storey, the proposed three storey block of flats would relate well to Doubleday House, a three storey flatted building directly opposite in terms of bulk, mass and scale. As such it is considered that the proposed building and Doubleday House could function in combination to complement Buttercross Lane by serving as a ‘gateway’ from the High Street. From a design point of view, it is considered that the proposed three storey building could be accommodated without detriment to the street scene. Whilst objections have been received regarding loss of trees and greenery, there are no trees worthy of retention on the application site. As with any new development of this scale, hard and soft landscaping should be implemented and can be required by condition. Adequate space is maintained at the front of the site to secure appropriate planting to maintain the appearance of a domestic garden.

Impact on Conservation Area:

Many objections received have expressed concerns regarding the impact of the proposal on the Epping Conservation Area. The Council’s Senior Conservation Officer has reviewed the proposal and has provided the following comments:

The proposal site stands within the Epping Conservation Area to the rear of the High Street and directly behind no. 269, a grade II, largely 17th and 19th century building. The proposed scheme has been discussed at pre-application stage, although not with myself, and received positive feedback.

The site marks the start of the residential development on Buttercross Lane after the lane passes through the narrow gap between the side elevations of the buildings fronting the High Street. The existing house is late 20th century in date and stands at two storeys with a single storey garage. No objections to the loss of the existing building are raised as it is of limited

historic and architectural interest and is not considered to make a positive contribution to the conservation area (the character appraisal of 2009 identifies it as making a 'neutral' contribution to the conservation area).

The proposed building contains 9 flats over three floors. It occupies an L-shaped plan with a three-storey element to the south (behind the High Street) stepping down to a two and a half storey range to the north. The design was discussed and amended throughout the pre-application process to arrive at the current design.

The site acts as a transition point between the denser developments fronting the High Street with their service areas behind, and the lower density residential character of Buttercross Lane. Due to a drop in levels, the proposed three storey element will sit lower than the ridge height of the rear of no. 269 and will also relate to the large, imposing block opposite (Doubleday House). The drop in ridge height to two and a half storeys and its position on the same set-back building line as the existing helps to transition the proposed building into the prevailing smaller scale, lower density character of Buttercross Lane.

My attention has been drawn to two appeal decisions at no. 2 Buttercross Lane (formerly 'land adjacent to Broadbents, Buttercross Lane'). These concerned the redevelopment of an open plot of land, formerly a walled garden; the first appeal concerning the erection of two dwellings (dismissed) and the second a single dwelling (approved). In these decisions the Inspectors identified the change in character from the denser High Street to the more open feel of Buttercross Lane, partly thanks to the set-back position of nos. 1 and 3. This set back position will be preserved. Due to the position of no.1 further south down Buttercross Lane (closer to the High Street), its location opposite the huge three-storey Doubleday House, and the fact that a house already exists on the site (rather than the site being an empty, green plot), the appeal decisions relating to no.2 are not relevant in their entirety, to the current proposal, although their appraisal of the character of Buttercross Lane is.

The general form of the proposed building is traditional in character with pitched roofs, simple casement windows and materials taken from the local vernacular.

On balance, the proposal is not considered to harm this part of the conservation area as it acts as a transition between the High Street and Buttercross Lane, respecting the neighbouring building heights. It also relates to Doubleday House opposite.

It is recommended that the following conditions are attached to any planning permission:

- Details of the types and colours of all external materials shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- Additional drawings that show details of proposed new windows, doors, and rooflights, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works.
- Additional drawings of the type, colour, and position of new boundary treatments shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.

This is supported by policies HC6, HC7 and HC12 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 190 and 193 of the NPPF.

Highways and Parking:

The proposed flats would be served by nine off-street parking spaces. The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units (total of seventeen in this instance) plus two visitor spaces. However, the parking standards state that “a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities”. Whilst much concern has been raised regarding increased traffic, parking implications and pedestrian safety, the town centre is well protected by parking restrictions and as such it is not considered that this proposal will be detrimental to highway safety or cause any on-street parking issues in the vicinity. Furthermore, Essex County Council’s Highway Authority has raised no objection to the proposal either on the grounds of level of provision or on highway safety grounds. Given the sustainable town centre location of the site, which is well served by local facilities and public transport, it is considered that one off-street parking space per flat is acceptable in this instance. Adequate turning space is available within the site. It is accepted that Buttercross Lane is a narrow road largely without pavements and is used as a pedestrian cut through to the high street from residential areas to the north, however it is not considered that the increase in vehicle movements at the top of the lane close to the High street will adversely impact on highway safety. It is generally accepted that narrow shared surface roads are appropriate for residential developments and do not increase highway danger (due to the driver’s and pedestrian’s perception that there is a need for care).

Other Matters:

Housing:

Given the Council’s lack of a five-year housing supply, the proposal will provide a net increase of 8 residential units, adding to the supply of housing to the District which must be weighed against the objection regarding the loss of a family home and the Government’s objective of bringing development forward to meet the growing need for housing and to stimulate economic growth as laid out in the NPPF.

The proposal falls below the threshold which requires the provision of affordable housing, and as such there is no requirement for a legal agreement to secure affordable housing.

Ecology:

Epping Forest Countrycare team has commented that they have no objection to the proposal subject to the imposition of a condition.

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) as a result of increased visitor pressure arising from new residential development, and from relatively poor local air quality alongside the roads that traverse the SAC. The Council is currently developing with partners an interim strategy for the management and monitoring of visitor pressures on the SAC. This will include measures to be funded through the securing of financial contributions from new development in accordance with Policy DM 2. Notwithstanding the fact that this work is yet to be completed the applicant has confirmed willingness to enter into a S106 Agreement to assist in the funding of the mitigation measures.

Flooding:

The Council's Engineering, Drainage and Water Team has reviewed the application and provided the following comment:

The site lies within an Epping Forest District Council flood risk assessment zone.

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment (FRA) is required; therefore, please add land drainage condition SCN84A.

The site does not lie within any Environment Agency (EA) Floodzones; therefore, consultation with the EA is not required.

The applicant is proposing to dispose of surface water by main sewer. However, our records do not indicate a public sewer at this location. Further details are required. Please add a condition requiring approval of surface water details by the Local Planning Authority prior to development commencing.

No objection to planning application in principle, subject to the approval/implementation of the requirements set out above by this team.

Contaminated Land:

The Council's Contaminated Land Officer has reviewed the application and provided the following comment:

I have screened readily available council records regarding former land uses and can see no evidence of a former industrial or potentially contaminating land use.

As potential land contamination risks are likely to be low, it should not be necessary for these risks to be regulated under the Planning Regime by way of standard conditions. It is the responsibility of the developer to ensure the safe development of the site (including the appropriate disposal of any asbestos within the existing building & hardstanding) and the addition of a single condition requiring the developer to stop development, contact the Local Planning Authority and carry out any necessary agreed investigation and remediation works if significant contamination is encountered should suffice.

I would therefore recommend that the stand alone 'Unexpected Land Contamination' be attached.

Water:

Thames Water has reviewed the application and provided advice to the applicant, but has raised no objection to the proposals.

Conclusion:

Taking all matters into account the proposed development is considered acceptable. The proposal would make more efficient use of previously developed land and would accord with the NPPF's presumption in favour of sustainable development. The proposals would sit well within the street scene and subject to conditions will maintain the character and amenity of the conservation area. A lower car parking provision is considered acceptable in this location and there are no highway objections to the scheme subject to mitigation measures that can be achieved by legal agreement there will be no harm to the Epping Forest SAC.

Accordingly, the recommendation is one of approval subject to conditions and to the required legal agreement.