

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** District Development Management Committee    **Date:** 3 August 2016

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 9.30 pm

**Members Present:** B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, R Butler, R Jennings, G Chambers, S Heap, S Jones, H Kauffman, S Kane, C C Pond, J M Whitehouse, K Chana and J Philip

**Other Councillors:** S Neville and S Watson

**Apologies:** H Brady, J Knapman and A Mitchell

**Officers Present:** N Richardson (Assistant Director (Development Management)), G J Woodhall (Senior Democratic Services Officer) and J Leither (Democratic Services Officer)

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### **13. WEBCASTING INTRODUCTION**

The Senior Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### **14. WELCOME AND INTRODUCTION**

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning meetings.

### **15. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)**

The Committee noted the following substitutions for this meeting:

- (i) Cllr Philip for Cllr Knapman; and
- (ii) Cllr Chana for Cllr Brady.

### **16. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

**17. MINUTES****Resolved:**

(1) That the minutes of the following meetings be taken as read and signed by the Chairman as a correct record:

(a) 20 April 2016; and

(b) 8 June 2016.

**18. PLANNING APPLICATION EPF/0213/16 - LAND AND GARAGES TO THE REAR OF 54-60 HORNBEAM ROAD, BUCKHURST HILL**

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with two 3-bedroomed, two storey affordable homes with five parking spaces and associated landscaping, to the rear of 54 – 60 Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South on 29 June 2016 with a recommendation to refuse permission under the Minority Reference rules (Part 4, “Council Rules”, Rule M2 refers).

The Assistant Director stated that the site was approximately rectangular in shape and accessed by a narrow road adjacent to maisonettes and Bourne House, which led onto Hornbeam Road. To the east of the site was a sports pavilion with open playing fields beyond, to the north was a washing, drying, storage area for Bourne House, and to the south was the rear garden for 62 Hornbeam Road. The site itself was a Council-owned garage site with 25 garages located in two linear facing blocks; one block backing onto the playing fields and the other backing onto the rear gardens of 54 – 60 Hornbeam Road. Of the 25 garages, 18 were currently vacant. The site was not in either the Metropolitan Green Belt or a Conservation Area.

The Assistant Director reported that the proposed development would have rear gardens backing onto the rear garden of 62 Hornbeam Road with parking to the front of the site. The main issues with this application related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. After careful consideration, Planning Officers had concluded that the proposal was considered acceptable with limited impact on amenity and an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology used for the Transport Assessment and Parking Survey, it was felt that the surrounding area could accommodate any displaced parking. On balance, therefore Planning Officers had originally recommended planning approval be granted as the proposal would provide affordable housing within the District on a previously developed site.

The Assistant Director highlighted that Area Planning Sub-Committee South had refused the application on the basis that the application was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents’ Association. There had been no letters of support received. The Committee heard from the Parish Council and the Applicant before proceeding to debate the application.

A number of Members expressed their grave concerns about this application. Parking was a major issue in the locality as the parking space available was only one third of that actually required. In addition, it was strongly felt that the Parking Survey submitted was undertaken at the wrong time of day; given the location of Buckhurst Hill Underground Station nearby, the Parking Survey should have been undertaken during the day and not at 1.00am in the morning. It was also highlighted that local residents parked their cars on the spaces between the garage blocks.

The Assistant Director reminded the Committee that a further application to convert 24 garages on a fourth site on Hornbeam Road had been withdrawn at Area Planning Sub-Committee South, and that these garages would remain available to residents for the time being. The Parking Survey methodology employed in this case was standard practice for a residential area.

A local (non-Committee) Member for Buckhurst Hill informed the Committee that parking in Hornbeam Road had become worse since parking restrictions were introduced in the streets closer to Buckhurst Hill station. The garage sites in Epping Forest should also be dealt with on an individual basis, and not have the Essex Garage Survey superimposed upon them.

Other Members feared that the site would be sold to a private developer if the application was refused, who would provide less parking spaces for residents; therefore, by granting the application, the Council would retain control of the site. It was also highlighted that as only 7 of the 25 garages were let out, there would only be a net loss of 2 parking spaces for this application; although it was also pointed out that the size of the garages were not big enough for most modern cars. Concerns about overlooking and parking had been raised when this application had been heard at Area Planning Sub-Committee South, but the Assistant Director reminded the Committee that the proposed rear gardens were 11 metres in length and the first floor windows of the new dwellings would be fitted with obscured glazing.

A local Member for Theydon Bois felt that, although there was some evidence of parking stress in the area, very few of the garages were in use and therefore the reason for refusal given at Area Planning Sub-Committee South was unsustainable. Consequently, the Member proposed that the application should be granted planning permission. The Assistant Director listed the planning conditions that were put before Area Planning Sub-Committee South, if the Committee was minded to grant the application.

The Assistant Director confirmed that the five parking spaces to be provided would be unrestricted, and that anyone would be able to park there, but that the suggested planning conditions to move the current garage users to the northern block, and to prevent future development of the northern block of garages would both be unenforceable.

**Decision:**

(1) That planning application EPF/0213/16 at Land and garages to the rear of 54-60 Hornbeam Road in Buckhurst Hill be granted permission, subject to the following conditions:

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

2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 A, PL04 A, PL05 , PL06 and 15-044-072
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved details.
4. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

5. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

6. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by

the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

7. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
8. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
9. 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.
10. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
11. 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.

12. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
13. There shall be no discharge of surface water onto the Highway.
14. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
15. No development shall take place until details of proposed external lighting have been submitted to and approved by the Local Planning Authority showing location of lights and spillage. The development shall be carried out in accordance with those approved details.
16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
17. No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
18. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
19. No development shall take place until details of 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.
20. Prior to first occupation of the development hereby approved, the proposed window openings in the first floor rear elevations (shown as angled and marked as obscured) 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.

**19. PLANNING APPLICATION EPF/0215/16 - LAND AND GARAGES TO THE REAR OF 2-12 HORNBEAM ROAD, BUCKHURST HILL**

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with three 3-bedroomed, two storey affordable homes with seven parking spaces and associated landscaping, to the rear of 2 – 12 Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South on 29 June 2016 with a recommendation to refuse permission under the Minority Reference rules (Part 4, “Council Rules”, Rule M2 refers).

The Assistant Director stated that the site was broadly rectangular to the rear of 2 – 10 Hornbeam Road and accessed by a narrow vehicular road. To the south of the site were further properties set back from Hornbeam Road, with allotment gardens to the east which were in the Metropolitan Green Belt (although the site itself was not). The site was Council-owned with 14 garages located in one block backing onto the allotments. Only three of the garages were currently vacant. The site was not in a conservation area.

The Assistant Director reported that the proposed dwellings would have rear gardens backing onto the rear garden of 14 Hornbeam Road, with parking laid out to the front of the site. The main issues for this application related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. Planning Officers had concluded that the proposal was considered acceptable with limited impact on amenity and was of an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area had been shown to be able to accommodate any displaced parking. Given this, and that the proposal would provide affordable housing within the District on a previously developed site, Planning Officers had originally recommended that approval should be granted for the application.

The Assistant Director highlighted that Area Planning Sub-Committee South had reused the application on the basis that the loss of 11 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenity.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents' Association. There had been no letters of support received. The Committee heard from an Objector, the Parish Council and the Applicant before proceeding to debate the application.

Some Members of the Committee felt that this was an intensively used garage block with 78% of the available garages currently being let; parking was a very real issue in the area and the loss of these garages would only exacerbate the problem. Again, problems were highlighted with the methodology used for the Transport Survey submitted with the application, and parking facilities were urgently required in this locality. It was also emphasised that the development would spoil neighbour amenity. The reasons for refusal given at Area Planning Sub-Committee South were sound and should be supported by the Committee for this particular application.

In response to questions from Members of the Committee, the Assistant Director clarified that no flood issues had been raised by the Council's Land Drainage team in relation to this application. In addition, the neighbouring gardens were long giving a gap of between 13.5 and 23 metres between the existing and proposed dwellings, and the angled windows with obscured glazing would prevent any overlooking. The allotment gardens to the east of the site presented no planning issues for consideration.

A local (non-Committee) Member for Buckhurst Hill East informed the Committee that these were a well used block of garages, and the proposed off-street parking scheme for the area was currently in abeyance. Therefore, the Committee was urged to refuse the application.

A local Member for Theydon Bois reminded the Committee that the right to a view was not enshrined in planning law. The depth of the neighbouring gardens gave a reasonable separation between the proposed and existing dwellings, although the Member did express some small concern regarding the proposed amenity space per dwelling. The Member accepted the evidence provided by the Parking Survey and proposed that planning permission for the application be granted subject to the planning conditions that were put before Area Planning Sub-Committee South.

Other Members of the Committee highlighted that some of the garages were used for general storage rather than car storage, and that if the Council did not permit development on previously developed sites then permission would have to be granted for development on more sites within the Metropolitan Green Belt.

The Assistant Director added that the proposed amenity space was standard for modern houses, and that the plans did explicitly state details of the boundary screening between the proposed dwellings and the allotment gardens to the east of the site; although this was probably covered by the reference to "...means of enclosure..." in condition 4 of the planning conditions that were put before Area Planning Sub-Committee South.

**Decision:**

(1) That planning application EPF/0215/16 at land and garages to the rear of 2 – 12 Hornbeam Road in Buckhurst Hill be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 C, PL04 A, PL05, PL06 A and 15-044-074
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
4. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in



writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

5. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

6. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

7. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

8. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
9. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
10. 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.
11. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The

development shall be carried out in accordance with those approved details.

12. 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.
  13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
  14. There shall be no discharge of surface water onto the Highway.
  15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
  16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
  17. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
  18. No development shall take place until details of 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.
  19. Prior to first occupation of the development hereby approved, the proposed first floor window openings on the flank and rear marked as obscured on plan no: PL04 A 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.
- 20. PLANNING APPLICATION EPF/0234/16 - LAND AND GARAGES TO THE REAR OF 30-34A HORNBEAM ROAD, BUCKHURST HILL**

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with two 2-bedroomed, two storey affordable homes with ten parking spaces and associated landscaping, to the rear of 30 – 34A Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South with a recommendation to refuse permission under the Minority Reference rules (Part 4, "Council Rules", Rule M2 refers).

The Assistant Director stated that the site was rectangular and accessed by a narrow alleyway adjacent to Hornbeam House and properties to the north. To the north of the site were further residential properties set back from Hornbeam Road, with allotment gardens to the east. The site was a Council-owned garage site with 22 garages located in 4 separate blocks; 14 of the garages were currently vacant. The site was not in either a conservation area or the Metropolitan Green Belt.

The Assistant Director reported that the proposed dwellings would have rear gardens backing on to the rear garden of 24 Hornbeam Road with parking to the front of the site. The main issues for the proposal related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. Planning Officers had concluded that the proposal would have limited impact on amenity and was of an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology of the Transport Assessment and Parking Survey, the existing parking surrounding the area had been shown to be able to accommodate any displaced parking. Given this, and that the proposal would provide affordable housing within the District on a previously developed site, Planning Officers had originally recommended permission should be granted for the application.

The Assistant Director highlighted that Area Planning Sub-Committee South had refused the application on the basis of the loss of eight let garages and the failure of the proposal to make appropriate alternative provision for off-street parking within the locality, the proposal was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents' Association. There had been no letters of support received. The Committee heard from an Objector, the Parish Council and the Applicant before proceeding to debate the application.

The Assistant Director responded to the comments made by the Parish Council concerning the proposed closure of vehicle gates to the rear of 32 and 34 Hornbeam Road. The submitted plans showed the vehicular access permanently closed and the pedestrian access temporarily closed. However, this was a private civil matter between the landowner and the occupiers of these properties, and not a planning matter. However, the Council's Housing Development Officer had been made aware of this issue, and as number 34 was also in the ownership of the Council then the terms of the lease could be amended accordingly.

Some Members of the Committee felt that as there was already a high density of housing at this location with an associated high demand for parking in the area, the application was based on a discredited Transport Survey, and there was a possible legal issue concerning vehicular access to existing properties, this application should be refused planning permission.

A local Member for Theydon Bois opined that this was probably the easiest of the three applications in Hornbeam Road to determine, as there were eight garages currently in use and ten parking spaces were proposed as part of the application. Consequently, this application would not contribute significantly to the overall parking stress in the area. There was nothing in the application to warrant refusal and the Member proposed that the application be granted planning permission with the conditions put before Area Planning Sub-Committee South.

**Decision:**

(1) That planning application EPF/0234/16 at land and garages to the rear of 30 – 34A Hornbeam Road in Buckhurst Hill be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 B, PL04 B, PL05, PL06 and 15-044-075
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved details.
4. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree, or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
5. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

6. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

7. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

8. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
9. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not

previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

10. 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.
11. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
12. 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.
13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
14. There shall be no discharge of surface water onto the Highway.
15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
17. If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, 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 3 months, be planted at the same place.

18. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
  19. No development shall take place until details of 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.
  20. Prior to first occupation of the development hereby approved, the proposed first floor window openings in the rear elevation serving bathrooms and marked as obscure 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.
- 21. PLANNING APPLICATION EPF/1179/16 - HIGHLANDS FARM, OLD RECTORY ROAD, STANFORD RIVERS**

The Assistant Director of Governance (Development Management) presented a report for the change of use of an agricultural barn to a 2-bedroomed dwelling at Highlands Farm, Old Rectory Road in Stanford Rivers. The application was before the Committee because, although the planning application itself was agreed by Area Planning Sub-Committee East at its meeting on 13 July 2016, the deed of release from the existing Section 106 Agreement on the site was not. Consequently, the application was referred to this Committee under the Minority Reference rules (Part 4, "Council Rules", Rule M2 refers) within the Constitution.

The Assistant Director stated that the site was a rectangular plot of land with an access road situated on the east side of Old Rectory Road in Stanford Rivers. The site currently contained a two-storey timber framed and boarded barn, with office space on the first floor, in the north east corner of the site and a yard area. To the west of the site poultry was kept in a well treed area, and there were open fields to the south east. The site was well screened by mature trees and was within the Metropolitan Green Belt. The proposal also included a parking area and garden within the existing yard area.

The Assistant Director reported that the main issues for this application were the design, impact on neighbours and the impact on the Green Belt. Planning Officers had concluded that the conversion of the barn would not result in a harmful impact to the openness of the Green Belt or conflict with the purposes of including land within the Green Belt. The design was considered acceptable and the nearest neighbours were over 350 metres from the site and their amenity would not be affected.

The Assistant Director highlighted that, in respect of the existing Section 106 Legal Agreement, when permission was granted for the retention of the barn in 2007 (EPF/1721/07 refers) there was a concern the building could be used for residential purposes; hence the legal agreement to prevent this. The National Planning Policy Framework now permitted the re-use of buildings provided they were of a permanent and substantial construction. The current barn building clearly was, and for the application to be implemented, a deed of release would need to be authorised by the



Committee as the grant of planning permission alone would not override the legal agreement.

The Committee noted the summary of representations, and that the only objection received was from Stanford Rivers Parish Council. There had been no letters of support received for the application. There were no public speakers registered and the Committee proceeded to debate the application.

The Committee felt that the barn was a sizeable building capable of conversion, and would not impact on the openness of the Green Belt as it was very well screened by mature trees. The Committee felt that the legal agreement had served its purpose for 10 years and was in favour of its release.

**Decision:**

(1) That planning application EPF/1179/16 at Highlands Farm, Old Rectory Road in Stanford Rivers be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 9881-01, 9881-02, 9881-03, 9881-04, 9881-06 and 9881-07.
3. Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
4. 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A-E inclusive of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
6. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

7. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

8. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

9. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

10. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

11. Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

(2) That authority be given to authorise a deed of release from the requirements of the Section 106 agreement attached to EPF/1721/07 concerning the site at Highlands Farm, Old Rectory Road in Stanford Rivers.

## **22. ANY OTHER BUSINESS**

### **Resolved:**

(1) That, as agreed by the Chairman and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following item of urgent business be considered following the publication of the agenda:

(a) Planning Application EPF/1269/15 – Golden Lion PH, Borders Lane, Loughton.

## **23. PLANNING APPLICATION EPF/1269/15 - GOLDEN LION PH, BORDERS LANE, LOUGHTON**

The Assistant Director of Governance (Development Management) presented a report for the demolition of the existing Public House as well as 10 and 12 Newmans Lane, and construction of 8 x 1-bedroom flats and 22 x 2-bedroom flats in two blocks with undercroft parking and landscaping. The application was before the Committee as it was classified as a major application for development on Council-owned land.

The Assistant Director stated that the application site was roughly rectangular and situated on the north side of Borders Lane at the junction with Newmans Lane. The site was well screened at the junction by existing vegetation with the southern part of the site grassed over. Several trees were preserved, including a veteran Oak tree. The southern part of the site contained the Public House building, with a car parking area to the north. Beyond the car park was 10 and 12 Newmans Lane, a pair of semi-detached two storey dwellings; no. 10 was unoccupied and was currently boarded up due to subsidence issues. The land to the east of the site was a relatively recently developed housing estate and was previously the 'upper' site to Epping Forest College.

The Assistant Director reported that the larger of the two blocks would form an 'L' shape to the southern side of the site and would contain 23 flats. Parking for 17 cars would be located behind the block in an undercroft, with a first floor communal terrace area above. This block would be set back from Borders Lane by a minimum of 8 metres and from Newmans Lane by a minimum of 5 metres. To the north of this block would be a larger parking area for 28 cars and a landscaping area around the preserved Oak tree. The smaller block would be situated to the north of the site and

would consist of 7 flats. This block would be set back 2.2 metres from the boundary with 14 Newmans Lane.

The Assistant Director informed the Committee that the main issues with this application were the principle of the proposed development, the provision of affordable housing, the design and appearance of the proposed development, the impact on neighbouring amenity, highways matters, car parking, and trees and landscaping issues. In respect of affordable housing provision, the Council's viability consultants had initially concluded that there was a surplus profit of £165,000 for off-site affordable housing contribution, but it had later transpired that they had wrongly added capitalised ground rents to the Gross Development Value for the larger block, when in fact the interest was being sold by the Council on a long leasehold and therefore the Council would receive the income from the ground rents throughout the life of the lease. The effect of this would be to reduce the surplus close to zero. The Council's Senior Housing Development Officer had therefore concluded that the affordable housing contribution was no longer justified, and consequently a Section 106 Legal Agreement was no longer required. Planning Officers had concluded that the proposal was an acceptable scheme and it was therefore recommended for approval.

The Committee noted the summary of representations, and that six letters of objection and one letter of support had been received. Loughton Town Council had no objection to the proposal. There were no public speakers registered and the Committee proceeded to debate the application.

Some Members were concerned that there was no affordable housing resulting directly or indirectly from this development. It was highlighted that the Council's policy was for affordable housing to be provided for applications of this size, either on or off site, and there was nothing before the Committee to explain why this policy was not being complied with. There was also a concern that the Council was making itself exempt from its own agreed Local Plan policy for affordable housing.

The Assistant Director reassured the Committee that this issue had only arisen earlier during the day of the meeting. The development through the significant extension of the leasehold of the public house site, and the selling of 10 Newmans Lane to the Applicant, was generating a substantial capital receipt to the Council in the region of £2.5million, which in this instance was considered a better return than the provision of further affordable housing. The local area was already benefiting from 100% on-site affordable housing developments on Council owned-sites, which would provide a further 51 units; to provide affordable housing on this site as well would make the development unviable.

A local Member for Theydon Bois reminded the Committee that 10 Newmans Lane was in the ownership of the Housing Revenue Account (HRA), and consequently any capital receipt for that property would go to the HRA. In addition, permission had been granted in the past for developments where the provision of affordable housing would make the application unviable. The Member felt that the development would fit in very well with the area and supported the application. It was also emphasised that the development could be reviewed by the Governance Select Committee in the future.

A local Member for Loughton Broadway did not like the design and felt that there should have been an affordable housing element. The Member felt that condition 12 should have also referred to the north-bound bus stop adjacent to the site as well, as this would encourage residents of the development not to own cars. The Assistant Director was cautious about amending the condition without advice from Essex

Highways, so the Member proposed that the condition be amended for the facilities to be improved and the bus stop shelter to be reinstated at the north-bound bus stop following advice from Essex Highways.

**Decision:**

(1) That planning application EPF/1269/15 at the Golden Lion Public House, Borders Lane in Loughton be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL10A, PL12.1F, PL12.2E, PL12.3E, PL12.4E, PL12.7A, PL12.8A and PL12.9A, PL14, PL15J, PL16C, PL20.1E, PL20.2E and PL22.
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved details.
4. Prior to first occupation of the development hereby approved, the proposed first and second floor window openings in the north east facing (secondary windows for bedrooms) and rear/side facing windows (serving hall/landing areas on Block B of the plans) 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.
5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (i) the parking of vehicles of site operatives and visitors;
  - (ii) loading and unloading of plant and materials;
  - (iii) storage of plant and materials used in constructing the development;
  - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (v) measures to control the emission of dust and dirt during construction, including wheel washing; and
  - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.
6. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to

development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

7. 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.
8. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective then another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
9. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
10. Prior to the first occupation of the development the access, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
11. Prior to the first occupation of the development, the existing vehicular access shall be permanently closed off incorporating the reinstatement of the footway and full height kerbing.
12. Prior to first occupation of the development the developer shall be responsible for the implementation of Real Time Passenger Information, to Essex County Council specification, to the south-bound

bus stop adjacent to the site, and the implementation of Real Time Passenger Information and the reinstatement of the bus shelter to the north-bound bus stop adjacent to the site following advice from Essex County Council.

13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation per dwelling - 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.
14. There shall be no discharge of surface water onto the Highway.
15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
16. Before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the local planning authority. The scheme should be based on the surface water drainage statement referenced A3433 / NSW / SurfaceWaterDrainageStatement / TheGoldenLionPC, issued on 18 November 2015.

The scheme shall include:

- (i) a survey of existing drainage on site. Once the survey has been conducted the applicant should demonstrate permission from the relevant water body for any proposed connection to a surface water sewer;
- (ii) infiltration testing in line with BRE 365 and a ground survey to confirm underlying soils and groundwater levels. If infiltration testing is found to be viable, this method should be utilized where feasible with run-off rates from the site restricted to a maximum of 4.8l/s for the 1 in 1, 8.3l/s for the 1 in 30 and 9.7l/s for the 1 in 100 inclusive of climate change event. If infiltration is found to be unviable run-off rates from the site should be restricted to a maximum of 5l/s for the 1 in 1, 8.5l/s for the 1 in 30 and 10l/s for the 1 in 100 inclusive of climate change event;
- (iii) storage for the 1 in 100 year event inclusive of climate change storm event;
- (iv) an appropriate level of treatment for all run-off leaving the site in line with CIRIA Guidance; and
- (v) details of final exceedance and conveyance routes.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

17. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has

been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

18. Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.
19. The adopting body responsible for maintenance of the surface water drainage system shall record yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
20. No development shall take place until details of 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.
21. The development shall be carried out only in accordance with the Daytime Bat Assessment Report by Betts Ecology unless the Local Planning Authority gives its written consent to any variation. If any bats are found during this demolition then all works must stop immediately and advice sought from a fully licenced ecologist.
22. Prior to first occupation of the development hereby approved, the proposed screen around the communal terrace shall be fitted with a brick wall to a height of 1.1m with a 0.7m obscured glass screen on top as shown on drawing No. PL22 and shall be permanently retained in that condition.

**24. EXCLUSION OF PUBLIC AND PRESS**

The Committee noted that there was no business to be considered that necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**