

OFFICER REPORT

Application Ref: EPF/0491/20
Application Type: Approval of reserved matters
Applicant: Housing 21
Case Officer: Sukhvinder Dhadwar
Site Address: Playing Field, Waltham Abbey Leisure Centre & Community Centre
Ninefields
Waltham Abbey
EN9 3EH

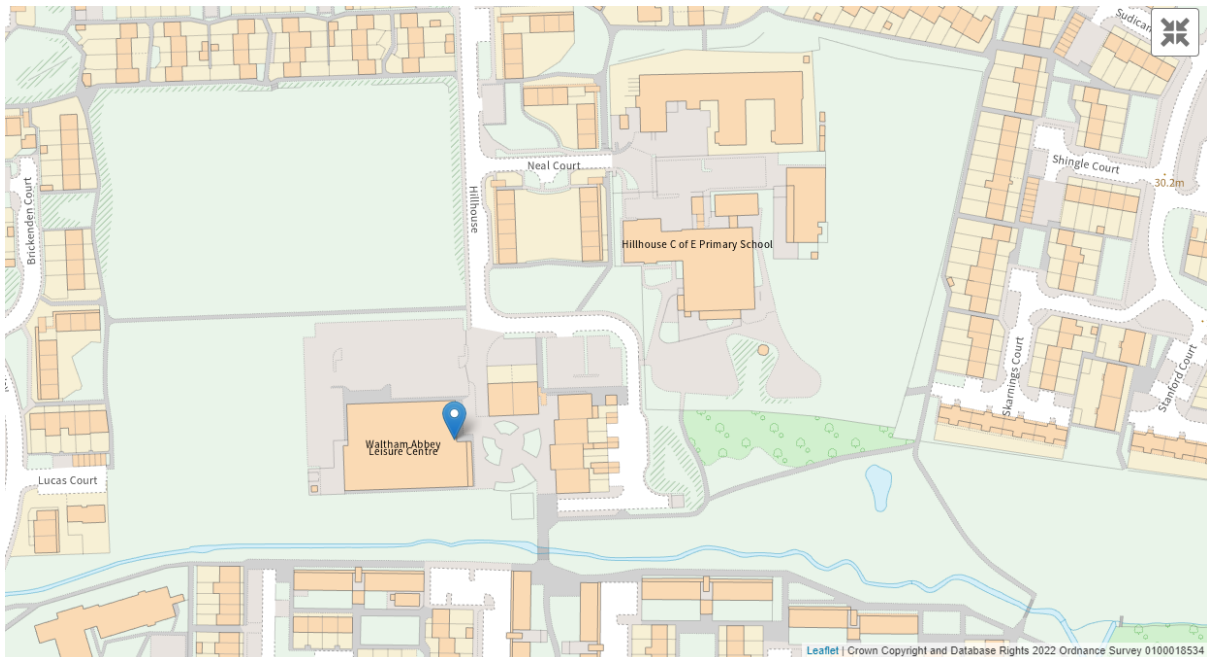
Proposal: Reserved matters application following outline consent for Health Centre building containing 60 no. extra care apartments & communal facilities with associated car parking & landscaping. (Revised application to EPF/1876/19).

Ward: Waltham Abbey Paternoster

Parish: Waltham Abbey

View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d00000NxS7>

Recommendation: Approve with Conditions



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

1. SITE AND SURROUNDINGS

- 1.1 This application site is rectangular in shape and covers an area of 0.85 hectares and comprises a flat grassed area of open space. It is located on the northern section of what was originally part of a wider 3.73 hectare playing field. In March 2017 outline consent was granted under reference EPF/2207/16 for 60 C2 units for the older people, a health centre to the south and beyond that a leisure centre and swimming pool. Open space is to be retained within the remainder of the site (west). Reserved matters approval was given under reference EPF/1139/17 for the Leisure Centre and swimming pool building. This building is now up and running.
- 1.2 The application site is bounded by an estate access footpath and the side flanks of residential properties within Cullings Court to the north, the highway and residential properties within Hillhouse to the east.

2. PROPOSED DEVELOPMENT

- 2.1 Outline consent has been granted under reference EPF/2207/16 for the erection of a Health Centre building; **60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) with a minimum of 40% affordable**; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; and ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building. The only matter not reserved in this application was the access.
- 2.2 This application relates to the reserved matters following outline consent for the block of 60 no. extra care apartments & communal facilities with associated car parking & landscaping. The outstanding reserved matters include the appearance; landscaping; layout and scale of the development.
- 2.3 The flats are contained within a 'H' shaped part three storey part two storey building located centrally within the site and provides a total floorspace of 5626 sqm. It has a maximum height of 10.3m to the top of the front façade containing the main entrance to the building, then reduces to 9.8m for the majority of the building and then reducing further to 6.5m high to the top of the 2-storey element of the building.
- 2.4 Materials include red facing brickwork, off white reconstituted stone copings and bands, slate coloured concrete hanging tiles, grey steel balustrades and grey aluminium framed fenestration.
- 2.5 The external landscaped area includes activity lawns, woodland walk, vegetable gardens, biodiversity rich wildflower meadow with woodpile for reptiles, ornamental planting, gazebo, sensory garden and 2 ponds. Twelve existing trees at the site's eastern boundary are to be retained and 103 new trees are proposed.
- 2.6 A 1.8m high close metal railing fence will bound the site.

2.7 Schedule of Accommodation

Floor	1 bedroom 53.5 sqm - 60 sqm	2 bedroom sqm 68 sqm – 77.3 sqm	Total
Ground floor	13	2	15
First floor	18	5	23
Second floor	17	5	22
Total	48	12	60

2.8 The ground floor also provides hairdressing salon, which is also open to the general public, communal dining area, communal lounge with acoustic partition wall administration rooms, kitchen, laundry room. A 26 sqm buggy store, activity room along with a cycle store and refuse storage area.

2.9 30 car parking spaces will be provided, including 5 disabled parking bays. A cycle store is also to be provided which will store 16 cycle spaces, close to the building entrance. A minibus parking space is also to be provided on site. Access is the same as that approved under the Outline permission.

3. RELEVANT PLANNING HISTORY

Reference	Description	Decision
EPF/2207/16	Outline application with all matters reserved except access for the erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) with a minimum of 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; and ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building.	Granted subject to conditions
EPF/1139/17	Reserved matters application for appearance, layout, scale, massing, materials, external works, and landscaping of the leisure centre site only on approved outline consent EPF/2207/16 (Outline application for Health Centre building; 60 Independent Living Older Persons Apartments Building; Leisure Centre and Swimming Pool Building; Open Space; Ancillary development	Granted subject to conditions

	including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building).	
EPF/1140/17	Application for approval of details reserved by condition 6 'Construction Management Plan' and condition 13 ' Surface Water Disposal Plan' of planning permission EPF/2207/16 (Outline application (all matters reserved, except approval sought for detail of access) for Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) minimum 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall) ; Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; Ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building).	Details approved
EPF/1146/17	EPF/1146/17 Application for approval of details reserved by condition 14 'Phase 1 Investigation', condition 15 'Phase 2 Site Investigation' and condition 16 'Detailed Remediation Scheme' of planning permission EPF/2207/16 (Outline application [all matters reserved, except approval sought for detail of access] for Health Centre building; 60 Independent Living Older Persons Apartments Building; Leisure Centre and Swimming Pool Building; Open Space including a mini soccer grass pitch and footpaths; Ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building).	Partially Approved
EPF/2947/18	Application for Approval of Details Reserved by Condition 17 'Contaminated Land - Verification Report' on planning permission EPF/2207/16 (60 Independent Living Older Persons Apartments Building (Use Class C2), Leisure Centre & swimming pool building with fitness suite & community hall, open space including a mini soccer grass pitch, ancillary development including three vehicular accesses, car parking, and SUDs Infrastructure & demolition of Ninefields Community Centre Building).	Approved
EPF/1876/19	Outline application for Health Centre Building; 60 Independent Living Older Persons Apartments Building (Use Class C2 with a minimum of 6 hours Care to be Provided Per Week for Each Apartment), Minimum 40% Affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a Mini Soccer Grass Pitch for use by 7/8	Refused and dismissed at appeal. See appendix 1

	<p>Year Olds and Footpaths; Ancillary Development including 3 Vehicular Accesses off Hillhouse; Car Parking; SUDS Infrastructure; and Demolition of Ninefields Community Centre Building.</p> <ul style="list-style-type: none"> • The details for which approval is sought are: The Appearance; Landscaping; Layout and Scale of the 60 Independent Living Older Persons Apartments Building. 	
--	---	--

4. CONSULTATION AND REPRESENTATIONS

Number of neighbours Consulted: 372.

Neighbours

4.1 **46 CULLINGS COURT, 62 CULLINGS COURT, 63 CULLINGS COURT, 68 CULLINGS COURT ANWELL COURT, 57 AMWELL COURT, 60 AMWELL COURT, 6 COBMEAD GROVE , 31 MASONS WAY, 49 MASONS WAY, 1 CHEQUERS WALK, 3 CHEQUERS WALK, 6 FULLERS CLOSE: 12 HILLHOUSE. 2 WILLOW PATH, 5 LUCUS COURT, 13 LUCAS COURT, 42 MALLION COURT, 5 CANELAND COURT, 63 CANELAND COURT, 13 MAYNARD COURT, 35 MAYNARD COURT, 42 MAYNARD COURT, 5 NEWHALL COURT, 22 BADBURGHAM COURT, resident of NEAL COURT, resident of NINEFIELDS, 40 WOODFORD COURT, 16 BRAMLEY SHAW, 18 BRAMLEY SHAW, 20 BRAMLEY SHAW, 17 WILLOW PATH, 63 MONKSWOOD AVENUE, 11 SMEATON CLOSE, 44 BROOKLAND DRIVE, 9 DENNY AVENUE, 4 HAYDEN ROAD, HUDSON HOUSE HOE LANE, 51 HAYWOOD COURT, resident of MAYNARD COURT, CAREBASE, 17 online comments with no address and 14 email comments with no address OBJECT:**

- Loss of football pitch.
- Loss of amenity space and football pitches
- Overdevelopment through excessive density and size
- Height/appearance of proposals out of keeping with the area
- Concerns over loss of car parking
- Concerns over additional traffic in area
- Loss of privacy
- Loss of light and sunshine
- Increased pollution during construction process
- Will create subsidence

- Loss of view as a result of construction hoardings
- The statement on the Traffic Assessment stating that the vehicle speeds in the vicinity of the site were judged to be low is also a misconception.
- The proposed lack of parking will exacerbate existing parking problems already in the area. Especially as there is a loss of 5 parking spaces compared with the approved use.
- When the leisure centre was being built, this CMP was not adhered to causing severe disruption and distress to neighbours. Will it be the same if this application is approved as well?
- Loss of Playing Fields (free amenity), community centre and car park.
- No Need for this accommodation. The approved site for the mini football pitch is now as of February 2021 protected under George V Fields Act therefore, no mini pitch can be built where stated.
- Harm from air pollution

. The 3-storey building looks to be in very close proximity to existing housing - just a path width away. No provision of extra lighting for public safety along the path near the houses of Cullens Court. The height of the building will make walking along the path extremely claustrophobic. With its lack of cctv, lighting, and high enclosed side, it could become a venue for criminal activity and antisocial behaviour.

- 4.2 Email **COMMENT** I would like to know if the proposed development for Independent Living Older Persons would be open to existing residents of Jessop court Shernbroke road Waltham Abbey. Would this new development be council run?
- 4.3 Chair of Governors Hillhouse C of E Primary School: **OBJECTION** The traffic situation is already a cause for concern especially since the new sports centre opened. We have seen an increase in traffic with cars, at times, speeding down the road. Parking has also become a concern particularly at school pick up and drop off. This was made worse by the parking crescent being built on as part of the sports centre development and it is only going to get worse if the proposal goes ahead! Already according to the plans, we would lose 5 street parking spaces to allow entrance into the new homes. In addition to that, with only 30 parking spaces being built for 60 flats it is highly likely we will lose more. Where is the justification in only providing parking spaces for half of the flats and where is it expected that visitors/carers will park?
- 4.4 As a school we are trying to deal with the parking situation ourselves but if we lose even more spaces, it will become unmanageable and will only be a matter of time before a child is seriously hurt. Parents should be able to get their children to school safely and without the worry of being able to park or to then cross the road with poor visibility due to parking.

- 4.5 It is unfair and wrong to assume that the Transport Assessment from 2016 is a true reflection on the current situation and this was highlighted at the most recent consultation. At this meeting the council advised they would do another assessment, but this has clearly not been done. In the same way it is obvious that no questions/concerns raised at the consultation have been addressed or answered. Is there any point in having these consultations if all that is discussed will be ignored?
- 4.6 If the proposal does go ahead, then parking will be our ongoing concern, but the immediate concern would be that of the works traffic. The lorries and vans will have a severe impact on the school and heighten the danger to our children. We experienced this already when the sports centre was being built which resulted in numerous conversations with the site manager to address it. I fear the situation will be even worse and more prolonged this time round and lorries coming and going onto the site will cause traffic problems, delay parents being able to get to the school and endanger children.
- 4.7 Lastly and by no means least important is the green space that will be lost. Many of our children live close to the school, some with no garden of their own. Having a large open space to run around and play on is vital to their well-being but this will be taken away from them. These children are our future, and they should be allowed the space to be able to play and grow.
- 4.8 As a primary school which is already struggling to manage the parking situation, we strongly object to the new proposal on the grounds of concerns around parking and more importantly child safety.
- 4.9 **WALTHAM ABBEY RESIDENTS ASSOCIATION: OBJECTION W.A.R.A** strongly opposes this planning application on a number of points; please find our objections below in no particular order.
- 4.10 We have been contacted by residents who are concerned over this particular development and the loss of community amenities by the proposals.
- 4.11 We understand money has been approved by Sport England for replacing lost amenities but no such information regarding the replacement has been published. We accept re-development of the Sport Centre was only a replacement, but new homes at the expense of the playing field are not something we can support without knowledge of the replacement location.
- 4.12 We understand the scheme was approved to allow the new sports complex to be developed and this site was given outline approval within the whole package that included a new doctor's surgery. Now that details are available residents have raised concerns to us over the scale of the development.
- 4.13 The playing fields are regularly used by the local sports teams as well as individuals taking advantage of the open spaces, so we are anxious to see the new scheme to replace the loss of this amenity and how they will benefit residents of the Ninefields estate. With the new Town Plan designating some 800 new homes in the district for

the immediate future we are not pleased to find a reduction in amenity facilities unless a new scheme in evidence first.

- 4.14 With regard to the actual development, we consider the total number of homes to be an overdevelopment of this particular site. Residents have complained to us that they will be overlooked by the three-story buildings and are not happy with the scale of this proposal on such a compact site.
- 4.15 We see no provision in the scheme to improve the access via Hillhouse that has major issues with additional traffic using this road following the opening of the new sport complex and parents dropping off and collecting children from the school and pre-school/nursery. Vehicles parked on both sides of the Hillhouse carriageway make the road impassable at times. This is especially notable when Hillhouse school opens/closes and we hear from residents that there are lots of arguments and road rage at these times because of the parking issues and blocked passage. If you decide to approve this application, we demand as a minimum a double yellow line on one side of the road to reduce the blockage issue.
- 4.16 In addition Hillhouse needs major road repairs as there is considerable subsidence at the Parklands end of Hillhouse that needs serious attention before further traffic adds to the subsidence situation.
- 4.17 We ask because of the parking issues, are there enough parking spaces being allocated to remove any possibility of the residents parking on the road adding to the situation. With 60 homes that means the possibility of up to 120 vehicles looking to park somewhere, I do not see sufficient in the proposals.
- 4.18 The Sport Centre has a car park ban on non-users of the facility and refuses parking permission, it also fines its own clients who do not sign in their vehicle registration numbers and clients overstaying their allotted time for their car park.

4.23 Town Council

- 4.24 **OBJECTION:** It was noted that outline planning permission has already been granted, so comments were made in relation to the detailed plans put before committee.

- I. The opening of the new leisure centre has caused traffic and parking issues. There needs to be an up-to-date traffic survey completed, including all forms of transport.
- II. The design of the building is out of keeping with the area.
- III. The design of the building is over dominant due to the additional height of the field.
- IV. It is understood that there is no flood risk assessment.
- V. It is considered the build is too big for the location.
- VI. Cllr Mrs Kane advised the meeting that as she is not a member of the District Development Management Committee, she would be happy to represent the Town Council at the meeting.

4.25 Cllr Mrs Kane advised the meeting that as she is not a member of the District Development Management Committee, she would be happy to represent the Town Council at the meeting.

4.26 Adult Social Care Essex County Council:- **Need and demand**

4.27 The number of people aged 85 and over in Essex is predicted to rise by over 58% percent by 2035, from 42,400 to 67,000 (ONS 2020). By then the proportion of people 65 and over in Essex will rise from a fifth to a quarter of our population. In Epping, the number of residents aged 65 and over is expected to increase by over 7,400 to nearly 33,500 by 2035, a 28% increase, making up almost a fifth of Epping's projected total population. The population of those aged over 85 in Epping is expected to see a 45% increase between 2020 and 2035, increasing to 5,800 people. A growing older population requires the right accommodation and the right care at the right time.

4.28 As at November 2022, there were 325 adults known to Adult Social Care in Epping Forest District who had high, medium and standard suitability factors for Extra Care (Independent Living). This does not include adults who already live at Honeytree Court, the only Extra Care (Independent Living) scheme in Epping.

4.29 Meeting the needs housing, care and support needs of older adults

4.30 Essex County Council (ECC) is committed in our organisational and housing strategy to enable more adults with care needs to live independently. ECC is committed to reducing the proportion of people in residential care and focussing on providing care for people in their own home, in line with the home first agenda. ECC also works with local housing authorities in Essex to adapt individual's homes who have care needs, using disabled facilities grants.

4.31 The Extra Care (Independent Living) programme is a further strand of ECC's work to provide care for people at home. Extra Care (Independent Living) provides specialist accommodation for people with varying care and support needs who would benefit from a home environment, with 24-hour onsite care and support that enables their continued independence. Extra Care (Independent Living) housing is recognised as a better option to meet people's housing, care and support needs than staying at home in unsuitable accommodation and as an alternative to residential care, where appropriate.

4.32 As we discussed, Extra Care (Independent Living) housing schemes offer contemporary apartments rented or part- owned by residents, along with shared communal areas such as cafés, wellbeing rooms, and lounge/activity areas to socialise and form a welcoming community. There is a care provider on-site 24/7 to give residents and their families peace of mind. Individual care packages are also provided to meet assessed need, this planned care can either be provided by the on-site care team or another care provider as appropriate and in line with the residents

wishes It is proposed that rented flats within the Independent Living scheme will be affordable, with rents and service charges set in line with the Government's rent guidance and agreed by the provider with your Housing Benefit Team. A nomination agreement will be drawn up and we will share this with you. The agreement will require prospective occupants to have a local connection to the Epping Forest District Council area and in line with your Allocations Policy.

4.33 Wider benefits of Extra Care (Independent Living) housing

4.34 Research has shown that Extra Care (Independent Living) schemes provide a significant reduction in isolation, loneliness, anxiety and depression; visits to GP's/hospitals for older residents; and can delay or even reverse frailty. Scheme design reduces the risk of falls and provides full wheelchair accessibility. Schemes can also be used as 'community assets' where the wider community benefits from the facilities, social activities and support provided. ECC aspires for each scheme to demonstrate social value by enhancing the local community and economy for example, by providing jobs for local residents. Extra Care (Independent Living) can contribute to freeing up much needed family housing in both the rented and owner-occupied sector, bringing benefits to those in housing need.

4.35 Proposed scheme in Epping Forest District

4.36 Currently, the Epping Forest District Council area has very limited Extra Care (Independent Living) provision that does not meet demand. Honeytree Court is a 40-apartment scheme owned and managed by Places for People. Essex Housing and ECC are proposing a new Extra Care (Independent Living) housing scheme, Hillhouse, in Epping. The proposed scheme of 60 apartments would therefore contribute significantly to meeting the rising demand set out above.

4.37 Alignment with your Local Plan and Housing Strategy ambitions

4.38 We are confident that ECC's ambitions to provide Extra Care (Independent Living) housing in Epping are aligned with Epping Forest District Council's own strategic ambitions as set out in your Local Plan and Housing Strategy.

4.39 Epping's Housing Strategy 2017-2022 sets out the District Council's action to "Work with Essex County Council to facilitate the provision of a new Independent Living (Extra Care (Independent Living)) scheme for older people at Hillhouse, Waltham Abbey, comprising both market housing and affordable rented homes". Furthermore, the study Epping Forest District Council commissioned from the Housing LIN, "Assessment of need for housing and accommodation for older people in Epping Forest District to 2033" outlines an estimated requirement for 110 units of accommodation by 2033, and 160 units of accommodation by 2037.

4.40 Chapter 3, section 3.7 of Epping's Local Plan 2011-2033 sets out that, specialist accommodation will continue to play an important role in providing for those residents who currently or may in the future require assistance. Emphasising a support for new

provision which is “appropriately located and designed”. The 60-apartment scheme at Hillhouse would contribute to meeting that need.

Other Consultation

- 4.29 Quality Review Panel – 24 January 2019: See appendix 2.
- 4.30 Development Management Forum – 4 March 2019 7pm: See appendix 3.

5. DEVELOPMENT PLAN

- 5.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 On the 06 March 2023 at an Extraordinary Council meeting the Submission Version Local Plan was adopted by Epping Forest District Council. The now adopted Local Plan will be referred to as the Epping Forest District Local Plan 2011-2033.

SP2 - Spatial Development Strategy 2011-2033

SP3 - Place Shaping

H1 - Housing Mix and Accommodation Types

T1 - Sustainable Transport Choices

DM1 - Habitat Protection and Improving Biodiversity

DM2 - Epping Forest SAC and the Lee Valley SPA

DM5 - Green and Blue Infrastructure

DM6 - Designated and Undesignated Open Spaces

DM9 - High Quality Design

DM10 - Housing Design and Quality

DM11 - Waste Recycling Facilities on New Development

DM15 - Managing and Reducing Flood Risk

DM16 - Sustainable Drainage Systems

DM17 - Protecting and Enhancing Watercourses and Flood Defences

DM18 - On Site Management of Wastewater and Water Supply

DM19 - Sustainable Water Use

DM20 - Low Carbon and Renewable Energy

DM21 - Local Environmental Impacts, Pollution and Land Contamination

DM22 - Air Quality

6. NATIONAL PLANNING POLICY FRAMEWORK

6.1 The current version of the National Planning Policy Framework ("the Framework" or "NPPF") was published in July 2021. It provides the framework for producing Local Plans for housing and other development, which in turn provide the policies against which applications for planning permission are decided.

6.2 Reflecting the proper approach identified in the previous section of this Report, the NPPF explains (at paragraph 2) that:

"2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.²"

6.3 Paragraph 11 of the NPPF concerns the presumption in favour of sustainable development and states (so far as relevant):

"Plans and decisions should apply a presumption in favour of sustainable development.

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole."

6.4 Paragraph 11 d) ii. is often referred to as the 'tilted balance'.

6.5 In summary, the effect of footnote 7 is that where a local planning authority is unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 73 of the NPPF, or where the Housing Delivery Test indicates that the delivery of housing was substantially below (that is less than 75% of) the housing requirement over the previous three years, "*the policies which are most important for determining the application*" are deemed to be "*out-of-date*", so that the presumption

in favour of sustainable development applies and planning permission should be granted unless either sub-paragraph (i) or (ii) is satisfied.

- 6.6 For the purposes of sub-paragraph (i) of paragraph 11, footnote 6 lists the policies in Framework (rather than those in development plans) that protect areas or assets of particular importance including: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, or Local Green Space; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63 of the NPPF); and areas at risk of flooding.
- 6.7 The presumption in favour of sustainable development does not, however, change the statutory status of the development plan as the starting point for decision making. In accordance with paragraph 213 of the NPPF and subject to paragraph 11 d) and footnote 7 referred to above, policies in the development plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Rather, due weight should be given to such policies according to their degree of consistency with the NPPF; in other words the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given to them).
- 6.8 In addition to paragraph 11, the following policies in the NPPF are relevant to this application:
- Achieving sustainable development – paragraphs 7, 8, 10, 11, 12 5
 - Delivering sufficient supply of homes – paragraphs 60, 66, 69, 74, 75, 79
 - Promoting healthy and safe communities – paragraphs 92, 97
 - Providing sustainable transport – paragraphs 104, 107, 108, 110, 111,112 11
 - Making effective use of land – paragraphs 119, 122, 123, 124
 - Achieving well designed places – paragraphs 126, 130, 131, 132, 135 13
 - Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159 – 169

7. PLANNING CONSIDERATIONS

- 7.1 Background
- 7.2 Permission was granted on 21 March 2017 under reference EPF/2207/16 for an Outline application with all matters reserved except access for the erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) with a minimum of 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; and ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building.
- 7.3 The reserved matters relating to the Leisure centre component of this application have already been approved and implemented under reference EPF/1139/17.

- 7.4 This application is the second phase of reserved matters and relates to just the older person accommodation element of the scheme, the only consideration for this application is regarding the details of the design of the development for 60 extra care flats for older people in accordance with the requirements of conditions 2 (Reserved matters: layout, scale, appearance and landscaping) and 3 (drawing numbers) of EPF/2207/16.
- 7.5 This application was submitted prior to the deadline of 21/3/20, when the outline application would have expired had this application not been submitted, it can therefore still be considered. Refusal and dismissal at appeal of this application will result in the expiry of the outline application.
- 7.6 This application has been submitted as an amendment to the previously refused application under reference EPF/1876/19. That application was refused on the grounds that:-
- 7.7 The proposal fails to provide adequate and appropriate details in respect of materials, poor layout, landscaping, water management, flood risk, SUDS, lack of daylight/sunlight analysis or sustainability strategy. The proposal is therefore considered to be of poor design and as such is contrary to the requirements of chapter 12 of the NPPF, the National Design Standards, policies CP1, CP7, DB1 and DBE 3 of the Adopted Local Plan along with policies SP3, DM5 and DM9 of the Submission Version Local Plan.
- 7.8 An appeal was subsequently made against this decision. The Inspector in his dismissal of the appeal noted that while matters related to flood risk, sustainable drainage and detailed landscaping can be dealt with by other conditions and that the proposed materials were not unacceptable, he did share the Council's concerns regarding:
- 7.9 "Natural light to both internal and external area; general permeability and accessibility, including corridor lengths; the need for further information on wider sustainability matters such as climate change and water management...I consider these to be fundamental when designing larger scale developments."
- 7.10 The current revised scheme has now removed all north facing single aspect units to ensure adequate levels of daylight within each unit is achieved.
- 7.11 Communal spaces brought to the front to activate elevation facing the road. The hair salon has been brought to the building frontage with external signage and entrance, making it available and accessible for the local community. Other features include the Introduction of courtyard garden for dining area and the introduction of glazing to central corridor on each level, increasing natural daylighting, with views of external landscaping and other communal areas.
- 7.12 The main issues for consideration in this case are:
- a) Appearance; Landscaping; Layout and Scale
 - b) Impact on the living conditions of neighbouring residents

- c) Highway safety and parking provision;
- d) The Provision of Affordable housing;
- e) Impact on the integrity of the Epping Forest Special Area of Conservation
- f) Ecology and biodiversity
- g) Loss of an existing playing field.
- h) Flooding and drainage
- i) Other matters

7.13 (a) Appearance; Landscaping; Layout and Scale

7.14 Paragraph 126 of the NPPF advises that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”.

7.15 Paragraph 126 also states that design quality should be considered throughout the evolution and assessment of individual proposals. Furthermore, paragraph 127 states (amongst other things) that developments should optimise the potential of the site and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users. The National Design Guide reinforces the provisions of the NPPF by providing further guidance on urban design and place making.

7.16 Policies SP3, DM5, DM9 and DM18-DM21 of the Local Plan require that design is considered more holistically in order to contribute to public health, quality of life, sustainability as well as contributing positively to visual amenity.

7.17 Any scheme for development of extra care units should accord with the ‘HAPPI principles’, laid out within current best practice guidance on Extra Care design and housing for the elderly e.g. Housing LIN Factsheet 6 ‘Design Principles for Extra Care Housing’ 3rd Ed. by PRP (June 2020) to ensure that that it is a high-quality development which caters for the needs of its residents.

7.18 In light of the comments made in the appeal decision, the only areas which can be considered are:-

- The provision of adequate natural light to both the internal and external areas
- General matters of permeability and accessibility, including corridor lengths
- The inclusion of sustainable design.

7.19 Since that decision, the applicants and their design team have worked with the Council to evolve the scheme. This has resulted in the agreement to enter into a planning performance agreement; appointment of landscape architects and the scheme being revised six times, in order to overcome issues the above concerns and to improve the development’s form and materials. This has resulted in the 60

units being configured into a 'H' shape. Whilst the design and position are not strictly in accordance with the original parameter plan No. 01131 PP 03 Rev P1, since that plan was not specified within the conditions relating to the approved drawings and was instead only included within the list of informatives, it only has the weight of an illustrative drawing. It is for this reason that the revised layout and position can be considered as a reserved matter and remains within the scope of the original outline permission granted under reference EPF/2207/16.

- 7.20 It is noted that the 3-storey height is taller than the surrounding context but remains within the agreed parameters of the outline consent.
- 7.21 The Senior Urban Design Officer found the form and appearance of the revised scheme to be acceptable as *'The proposal inset from the site boundary, and the introduction of the mansard roof this is considered acceptable.'*
- 7.22 *The removal of the heavy brick parapet and introduction of the sloped mansard roof, with greater variety and articulation has helped to address the concerns previously raised regarding the institutional character of the proposal. The revised proposal now has a more domestic scale and character which is more sensitive to the existing context, and future inhabitants.*
- 7.23 *The use of red multi-toned brick and tile is in keeping with the character of the local area and would therefore be supported. Further information on the specific choice of both would be welcome. The quality of materials should be secured through a planning condition and a samples of both including a sample panel of the proposed brickwork showing intended mortar colour/type of joint should be requested.*
- 7.24 The proposal provides apartments that exceed minimum space standards set out in DM10 and will be built to Category 2: Accessible and Adaptable Homes standards in accordance with policy H1A (v). The flats have balconies, patios, or terraces with enough space for tables, chairs and plants. Privacy screens are provided between windows of neighbouring flats which adjoin each other.
- 7.25 All units have large windows to maximise the amount of natural light received within each flat. The Daylight and Sunlight Report for within the development by Right to Consulting chartered surveyors dated 17 May 2023 found that:-
- 7.26 "The proposed design satisfies all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'.
- 7.27 In our professional opinion, the proposed design will provide the development's future occupiers with adequate levels of natural light."
- 7.28 Given the amount of time future occupiers are likely to spend in their homes, this is a positive feature of the scheme.
- 7.29 All units will be equipped with Mechanical Ventilation with Heat Recovery (MVHR) systems for the removal of heat and moisture from kitchens and washrooms. Given the number of units proposed, it is not possible to avoid long corridors, however,

given that the scheme now proposes 2 lifts at the end of each intersection of corridor provide an improvement in the overall accessibility of the proposal. Improvements have also been made as a result of providing separate more direct safe routes for pedestrians through the site.

- 7.30 Plans indicate there is sufficient space to house the mobility scooters or bikes inside the proposed flats and there is also room for these facilities at ground floor level and within the front curtilage of the site.
- 7.31 This along with large windows along the northern elevation of the central section of corridor and a window in both the southernmost corridors ensure that the maximum achievable natural light and ventilation is achieved along with seating areas in its middle to allow social interaction and rest.
- 7.32 Plans indicate there is sufficient space to house the mobility scooters or bikes inside the proposed flats and there is also room for these facilities at ground floor level and within the front curtilage of the site.
- 7.33 The submitted sustainability Statement by Darren Evans dated 20 April 2023 indicates that the proposal through using a fabric first approach utilising the principles of passive design, along with the provision of Air Source Heat Pumps, MVHR and solar panels will ensure that the development will meet the requirements of Net Zero- Carbon by 2050. The statement also lists ways in which water consumption can be reduced to below 110 litres per person per day. Therefore subject to the recommendations made in this statement being implemented, it is considered that the proposal will provide an energy-efficient, well insulated and well-ventilated development.
- 7.34 The layout of the scheme promotes progressive privacy starting with an open to all hairdressing salon at the front, the communing dining area and lounge providing semi-public spaces to allow visitors to socialise with residents at certain times of the day in a more spacious setting in comparison with the individual extra care flats, the semi-private corridors and circulation spaces where occupiers and invited guests use and the private realm of the self-contained flat. This layout encourages social interaction and will allow the local community to also benefit from some of the facilities the development will provide.
- 7.35 Paragraphs 2.5 and 2.8 lists the facilities to be provided which will enable activities which will positively promote the well-being of the future occupiers, this list includes a sensory garden for dementia sufferers or those with loss of sight.
- 7.36 Subject to further details, it is considered that the proposed landscape features listed in paragraph 2.5 including the planting of more trees and creation of two ponds will ensure that the development provides high quality landscaping which is multi-functional, and which will provide biodiversity net gain, enhance the appearance of this part of Waltham Abbey as well provide wildlife habitats.
- 7.37 **(b) Impact on the living conditions of neighbouring residential occupiers:**

- 7.38 Indicative layouts and massing assessments were provided with the original outline application and the parameter plans indicated that the building height of the proposed building would reach a 13m maximum height. The proposal has a maximum height of 10.3m (excluding lift overruns).
- 7.39 The Daylight and Sunlight Report for neighbouring properties by Right to Consulting chartered surveyors dated 18 April 2023 which concluded that:-
- 7.40 *In summary, the numerical results in this assessment demonstrate that the proposed development will have a low impact on the light receivable by its neighbouring properties. The only window which does not pass the BRE numerical tests is situated underneath an overhang. The BRE guide explains that one way to demonstrate that the overhang is the main factor in loss of light is to carry out an additional calculation without these existing obstructions in place. In this instance, the window passes the test using the additional calculation with the existing obstruction removed. This demonstrates that the development is a modest obstruction, and it is the presence of the overhang, rather than the size of the new obstruction, which causes an unavoidable reduction in daylight/sunlight. Therefore, in our opinion, the proposed development has an acceptable impact on the daylight and sunlight amenity of the neighbouring properties.*
- 7.41 Officers are therefore satisfied that the proposal will not have an adverse impact on light levels to neighbouring residential windows.
- 7.42 The western section of the linear block positioned nearest to 48 and 49 Cullings Court is 6.6m high to its flat roof and is 12.5m away from the side flank of 49 Cullings Court. The distance increases to 19.6m at second floor level. The nearest upper floor balcony is just over 12.4m away but would only overlook the public footpath between 48 and 49 Cullings Court. Further conditions are recommended, to prevent the roof of the first-floor area in this location being used as an amenity area and to require privacy screens being provided for the balcony areas of units 34, 38, 56 and 59 so that any perceived overlooking is prevented. The nearest balcony on the eastern elevation of this linear arm to Cullings Court is 19m away, this distance is considered sufficient to ensure that the occupants of 49 and 61 Cullings Court will not be excessively affected in terms of loss of privacy. The northern elevation of the eastern section of the linear block is positioned 19.6m from the side flank of no. 61 Cullings Court of the proposal. This distance is considered sufficient to ensure that the privacy and outlook of this dwelling will not be adversely affected.
- 7.43 All other neighbours separated from the proposal by a greater distance. It is therefore considered that the proposal will not result in an excessive loss of light, outlook or privacy for these neighbours. The proposal therefore accords with the requirements of DM 9 of the Local Plan.
- 7.44 **(c) Highway safety and parking provision**
- 7.45 The only aspect of the development that was dealt with at Outline stage was access and as such this has already been agreed. Therefore, the loss of five spaces to create the access have also been agreed.

- 7.46 30 car parking spaces have been provided, five of which are accessible parking bay sized. This is 16 car parking spaces less than that stipulated at the outline permission. The scheme also provides 16 cycle parking spaces, a store area for up to 9 scooters; minibus drop off area;
- 7.47 This provision is similar to the parking ratios for two other independent living schemes within Essex managed by ECC and the site is within an urban area with adequate sustainable transport links to local services and facilities.
- 7.48 Furthermore the nature of the development likely to result in most vehicle trips to be undertaken outside of peak times;
- 7.49 The allowed appeal under EFDC reference EPF/1521/13 at the Green Man Public House Broomstick Hall Road permitted 12 parking spaces for 28 elderly flats, this equates 0.42 spaces per dwelling whereas this application provides 0.5 spaces per dwelling therefore refusal on the grounds of lack of parking cannot be justified at appeal.
- 7.50 As a result of the level of concern raised by objectors in relation to the impact of the development on parking congestion in close proximity to the site and highway safety during school pick up times. The applicants commissioned a 'Parking and Highway Safety Review' which was carried out by PJA a firm of transport, engineering and placemaking consultants (dated 27/2/23 rev B) who advised that within other Housing 21 extra care residential facilities run by Housing 21, average car ownership for rented units was 8.5% of total number of rented units and average car ownership for leaseholders (shared ownership units) equated to 45.1% of the total number of shared ownership units. On this basis the consultants calculated that the projected residential parking demand for the proposal would be 16 spaces.
- 7.51 Looking at car parking spaces required for staff, they compared another Housing 21 facility which they state was of a comparable size, that site has the following characteristics:-
- *71 units, all for rent*
 - *Total staff across all roles: 23 (the majority are care workers in three shifts)*
 - *Maximum number of staff on-site at any one time: 15*
 - *35% of staff come to work in their own car equating to a maximum staff parking demand of six parking spaces. This compared to a journey to work mode share for the surrounding area of 58% car driver based on information from the 2011 Census.*

- 7.52 *Assuming a proportional number of staff will be employed at Hillhouse with the same working pattern, 20 staff in total will be employed with a maximum of 13 on-site at any one time.*
- 7.53 *Applying the same car driver modal share of 35% would equate to a maximum parking demand of five vehicles at any one time. The total parking demand for residents and staff based on the evidence from a comparable Housing 21 scheme would equate to a total of 21 spaces. The proposed provision of 30 car parking spaces will therefore allow for this demand and visitor parking demand without any overspill on the surrounding highway network.*
- 7.54 *The consultants visited the site on 24/02/23 and made observations in regard to the parking situation between the times 08:30 – 9:30, 11:30- 12:00 and 14:30 and 15:30. The study found:-*
- 7.55 *Prior to 08:15, there were several parking spaces available in the vicinity of the development, site, including circa 10 spaces along Hillhouse and multiple spaces in the shopping parade car park.*
- 7.56 *At 08:25, cars began to arrive for the school drop-off period. Peak occupancy of on-street parking spaces occurred between 08:30 3 08:40, which coincided with the school start time of 08:40. During this period, on-street parking at the southern end of Hillhouse was limited, however there were approximately three spaces available to the north. Likewise, the shopping parade car park was also close to full occupancy.*
- 7.57 *A number of cars also parked along the single yellow line markings near the school entrance to drop-off pupils. Some parents/guardians were observed to use the leisure centre car park to drop-off pupils; however this was a rare occurrence.*
- 7.58 *The study also found that no car related accidents or incidents had occurred during school drop off times.*
- 7.59 *Between 11:30 and 12 there were up to 15 car parking spaces available. The leisure centre car park was at its busiest during this time period, however there were still 15 free parking spaces.*
- 7.60 *On arrival at 14:30, there were approximately 20 on-street parking spaces free along Hillhouse (Figure 4), as well as 15 free spaces at the shopping parade car park.*
- 7.61 *Peak occupancy occurred between 14:50 and 15:05. During this period, the southern section of Hillhouse was at full occupancy, with two to three spaces available to the north, near the junction with Ninefields. The shopping parade car park was also at full occupancy, with a maximum of two available parking spaces during peak occupancy. Again, multiple parents/guardians were observed to park on the single yellow line markings in the vicinity of the primary school access. Some parents/guardians were observed to use the leisure centre car park to park in, however this was rare and despite this there were multiple free spaces available.*

- 7.62 They therefore concluded in accordance with evidence submitted in previous transport assessments already submitted, *the 30 car parking spaces provided are sufficient to accommodate the development, during short periods in the AM and PM peaks, on-street parking was limited due to parking demand generated by the nearby primary school. However, this was constrained to a 15-minute period in both peak periods and did not coincide with the peak parking accumulation of the proposed development. As such, there is sufficient off-site parking capacity to accommodate any residual parking demand generated by the proposed development, in the unlikely event that this should occur.*
- 7.63 The Highways Authority has advised that it is still satisfied that in terms of safety and capacity that the impact of the proposed development will be minimal on the highway in the vicinity of the site and on the wider highway network in accordance with policy T1 of the Local Plan.
- 7.64 It is also recommended that a condition be attached to any permission which requires a Green Travel Plan to be submitted and approved by the Council and that approval be implemented in order to manage car travel and to maximise the use of sustainable transport choices.
- 7.65 **(d) The Provision of Affordable housing;**
- 7.66 The site is owned by Essex County Council who have partnered with Housing 21, to manage the development. This organisation is a national not for profit housing association which provides Extra Care accommodation for older people on low incomes.
- 7.67 The original outline permission and attached legal agreement under reference EPF/2207/16 only requires that 40% of the units be affordable. However the applicant has confirmed that all the units will be affordable, of which 50% will be affordable rent and 50% will be in shared ownership.
- 7.68 The affordable rent units will be occupied by older people from the County Council's waiting list requiring affordable housing, and the shared ownership units will be sold to qualifying residents (with a proportion of ownership retained by Housing 21). Those residents will need to comply with the parameters of the outline planning permission (i.e., be over the age of 55 and receive a minimum of 6 hours care per week).
- 7.69 This provision exceeds the requirements of policy H2 of the Local Plan and is therefore considered to be material benefit of the scheme.
- 7.70 **(e) Impact on the integrity of the Epping Forest Special Area of Conservation**
- 7.71 A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the

assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan.

7.72 The 2017 evidence base which informed the baseline traffic and air quality modelling for the Strategic Habitats Regulations Assessment considered all the 'in combination' effects of all planned proposals including (inter alia) sites which had planning permission, and which were considered in the site selection process. This base data therefore included the outline permission under reference EPF/2207/16 connected to this application. The number of units proposed in this application is the same as that previously approved therefore it is considered that the proposed units have already been accounted for and as such, it is considered that the proposal would not have an adverse impact on the integrity of the EFSAC over and above what has already been approved. The proposal therefore complies with the requirements of policy DM2 of the Local Plan.

7.73 (f) Ecology and biodiversity

7.74 An Ecological Assessment was carried out by Hushwing Biodiversity Assessment and Auditing dated 14/4/23. which found there were no important ecological features within the Application Site.

7.75 The report makes suggestions to provide habitats for protected species on the site once the development is completed, these are recommended to be secured by condition.

7.76 A Biodiversity Assessment was also submitted with the application which was undertaken by the same firm under reference HW1075.2.5. It found that:-

7.77 *The calculated baseline value is 2.30 Habitat Units. Post-development conditions were predicted with reference to the Proposed Site Plan. The estimated post-development biodiversity value is 6.65 Habitat Units with and uplift of 4.35 units.*

7.78 *The development satisfies metric trading rules and is predicted to deliver a significant gain. The proposal is predicted to exceed local and national planning policy by delivering an estimated up-lift of 189.08% Habitat Units.*

7.79 *The predicted significant gains in habitat area units are reliant on the success of 103 new specimen trees. It has been assumed that 38 medium sized trees will attain a stem diameter of more than 30cm within a 30-year period.*

7.80 A condition requiring the submission and implementation of a Habitat Management and Monitoring Plan is therefore recommended.

7.81 On this basis, the proposal makes a positive contribution to biodiversity net gain and therefore accords with the requirements of DM1 of the Local Plan.

7.82 (g) Loss of an existing playing field.

- 7.83 The Outline approval gave approval (EPF/2207/16) to the change of use of the application site area from a recreational field to residential accommodation for the elderly.
- 7.84 However that permission still protected some 1.58 hectares of that wider site as public open space, which would include a 33m x 43m mini football pitch. Furthermore, implementation of this proposal would trigger the requirement for Essex County Council to make a financial contribution of £166,090 towards a larger pot of £340,000 from applicants of the wider outline scheme to be used on projects identified through the Playing Pitch Strategy in Waltham Abbey and agreed by Sport England.
- 7.85 It should be noted that there is no formal agreement to allow Abbey Youth Football Club to use this site. Instead current alternative suitable sites include the Town Mead recreation grounds and the Larsons recreational grounds. Furthermore the housing development approved under reference EPF/1869/21 at the Roundhills Swimming Pool site includes a 3.5m wide cycle and pedestrian path which will connect that site to the Roundhills Playing Fields allowing them to also be utilised. (Currently this playing field has been blocked off by the development).
- 7.86 **(h) Flooding and Land Drainage**
- 7.87 The application site is located within an Environment Agency Flood Zone 1. However, the wider Outline approval includes areas within flood zone 2.
- 7.88 Holding objections have been raised by the Land Drainage Team and Lead Local Flood Authority in regard to the surface water drainage information, however, the principle of the development has already been approved at the outline stage and the applicants have agreed to the imposition of pre-commencement conditions should approval be given to address these concerns prior to any development taking place. This is considered sufficient to meet the requirements of policy DM16 of the Local Plan.
- 7.89 **(i) Other Matters**
- 7.90 The principle of the use and number of units has already been agreed as part of the outline consent. This application only seeks permission for the reserved matters, therefore objections in regard to the suitability of the type and number of residential accommodation is beyond the scope of what can be determined within this application.
- 7.91 The requirement for the elderly in need of extra care accommodation to occupy existing available care homes would be difficult to enforce and, in any case, the existing provision may not cater for needs of the person looking for the accommodation.
- 7.92 Increased competition from new businesses is not a material planning reason to refuse an application.

- 7.93 Remediation of the site will be controlled by a separate condition attached to the outline consent.
- 7.94 The effect of the development on neighbour building subsidence issues will be controlled by the Building Regulation legislation.
- 7.95 The construction of boarding during the construction phase of the development is necessary safety precaution and is only temporary and as such falls within the limits of permitted development legislation.
- 7.96 A Fire Statement by Ardenlea Fire Consulting Limited (March 2023) and associated plans have been submitted with the application which demonstrate compliance with all current applicable Fire Safety Standards in terms of minimising risk to future vulnerable users, construction management, build quality and evacuation procedures.

8. PLANNING BALANCE & CONCLUSION

- 8.1 The principle of the development was approved under reference EPF/2207/16. Officers are satisfied that the proposal has addressed the concerns raised by the Planning Inspector in his dismissal of the scheme under reference EPF/1876/19. This is because the proposal provides sufficient natural light to the proposed extra care flats; includes features which will minimise its vulnerability to climate change impacts and improvements have also been made to the circulation spaces and overall accessibility of the site for pedestrians.
- 8.2 The proposal will provide 100% affordable good quality extra care residential units for the elderly to meet local housing need. The proposed appearance, landscaping, layout and scale of the development accords with the intent of the original outline consent and will make a positive contribution to the distinctive local character of this area. The impact on neighbours; highway safety; parking and congestions will also not be excessive. In addition the implementation of the proposal will trigger the release of funding towards achieving the goals outlined in the Playing Pitch Strategy within Waltham Abbey.
- 8.3 It is therefore recommended that planning permission to be granted subject to conditions.
- 8.4 ***Should you wish to discuss the contents of this report item please use the following contact details above by 2pm on the day of the meeting at the latest, or if no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk.***

Planning Application Case Officer: Sukhi Dhadwar

Direct Line Telephone Number: 01992 564597



Appeal Decision

Site visit made on 26 October 2020

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/J1535/W/20/3251628

Playing Fields, Hillhouse, Ninefields, Waltham Abbey, EN9 3EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Stephen Hogben, Housing and Care 21, against the decision of Epping Forest District Council.
 - The application Ref EPF/1876/19, dated 6 November 2018, sought approval of details pursuant to condition No 2 of outline planning permission Ref EPF/2207/16, granted on 21 March 2017.
 - The application was refused by notice dated 30 October 2019.
 - The development proposed is an outline application for Health Centre Building; 60 Independent Living Older Persons Apartments Building (Use Class C2 with a minimum of 6 hours Care to be Provided Per Week for Each Apartment), Minimum 40% Affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a Mini Soccer Grass Pitch for use by 7/8 Year Olds and Footpaths; Ancillary Development including 3 Vehicular Accesses off Hillhouse; Car Parking; SUDS Infrastructure; and Demolition of Ninefields Community Centre Building.
 - The details for which approval is sought are: The Appearance; Landscaping; Layout and Scale of the 60 Independent Living Older Persons Apartments Building.
-

Decision

1. The appeal is dismissed.

Background and Procedural Matters

2. Outline planning permission was granted on 21 March 2017 (reference EPF/2207/16) for a development that comprises a number of different elements, as described in the banner heading above. This appeal relates solely to reserved matters in respect of the apartments building. These reserved matters concern the appearance; landscaping; layout; and scale of the building. The access was included and approved at the outline stage.

Main Issue

3. The main issue is whether the submitted details would result in a sustainable and acceptable form of development in terms of its design, layout, effect on the environment and standard of amenity.

Reasons

4. The appeal site is currently a flat grassed area of open space. It is within a residential estate, which also includes a recently built leisure centre (that also

formed part of the outline permission). The layout of the residential estate is designed along Radburn principles and it includes a mixture of flats and houses connected by a range of footpaths, with shared parking areas. The design is typical of its time and I consider that renewal and regeneration of the area would bring significant social and environmental benefits to this part of the town. The developments approved by the outline permission, including the apartment building will contribute towards these benefits.

5. The apartment building would be a 'landmark' structure, due to its prominent position and its scale. Consequently, I consider it incumbent upon the appellant and the Council to ensure the highest of design and environmental standards in its planning and construction.
6. The proposal is for a single building of two and three storeys with parking and landscaping predominantly on its northern side. It would be constructed largely of brick with render with balconies providing private outdoor space for the occupants of the apartments. The position and footprint of the building is similar to a 'parameters' plan that was considered as part of the outline application. The appeal proposal has also been the subject of public consultation and reviews by Design Panels.
7. The Council states that the proposal fails to provide adequate details in terms of materials, layout, landscaping, water management, flood risk, SUDS, sunlight/daylight analysis and sustainability. As a consequence, the Council considers the proposal to be of a poor design and in conflict with Policies CP1, CP7, DB1 and DBE3 of the adopted Epping Forest District Local Plan 1998 and Alterations 2006 (LP). These policies generally seek to achieve sustainable development, promote high quality design and ensure that spaces around buildings are functional and attractive.
8. In addition, the Council refers to a conflict with emerging Policies SP3, DM5 and DM9 of the Submission Version Local Plan. These emerging policies, whilst not having full weight, have similar objectives to those of the adopted LP. I consider both the existing and emerging policies to be generally consistent with the provisions of the National Planning Policy Framework (the Framework), which are material considerations.
9. Paragraph 124 of the Framework states that high quality design and the creation of high-quality buildings and places is fundamental to what the development and planning process should achieve. Paragraph 126 also states that design quality should be considered throughout the evolution and assessment of individual proposals. Furthermore, paragraph 127 states (amongst other things) that developments should optimise the potential of the site and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users. The National Design Guide, published in October 2019, reinforces the provisions of the NPPF by providing further guidance on urban design and place making.
10. As stated above, the appeal proposal largely follows the concept that was provided as part of the outline application. This included the position of the building; a footprint and indications of scale and heights. The appellant points to the reserved matters submission as being largely in accordance with that concept and to the processes that have been gone through in arriving at the design of the apartment building. Concern is also expressed that the Council's

criticism of the scheme relates more to the design process, rather than focussing on the merits of the development itself.

11. In terms of the submitted details, I accept that the Council's concerns relating to flood risk and SUDS (whilst important matters) can be dealt with through the discharge of other conditions of the outline permission. Consequently, I do not find against the appeal proposal on these matters. Likewise, with regard to detailed landscaping, I agree that the majority of the Council's concerns could be addressed by a further condition. I note that the Council has recommended such a condition in the event of the appeal being allowed. Furthermore, I am not persuaded that the external materials proposed by the appellant are unacceptable, given the mix of materials used on other buildings in the locality.
12. However, I share the Council's concerns relating to some aspects of the design, including the matters relating to natural light to both the internal and external areas; general matters of permeability and accessibility, including corridor lengths; and the need for further information on wider sustainability matters such as climate change and water management (notwithstanding compliance with the Building Regulations). I note that absence of validation requirements and development plan policies on such matters, but I consider these to be fundamental when designing larger scale developments.
13. I have taken into account the appellant's statement that it would be difficult to achieve a development of this scale without, for example, relatively long corridors. However, I have no detailed evidence that this is the case. Likewise, I have no evidence to show that the levels of natural light in the both the internal and external areas would be satisfactory and that other options have been fully considered.
14. In reaching my decision, I have given weight to the social benefits of the proposal in terms of the provision of specialist housing for the elderly. I accept this benefit would be substantial and the issues are finely balanced. However, my decision does not mean that the development will not take place, only that more needs to be done in design terms. The importance and prominence of the site and the longevity of any building means that different options should be explored and considered. In that regard, I note that the Council is currently considering a revised planning application and it has stated that good progress is being made. This indicates to me that a satisfactory outcome will be achieved in due course.

Conclusion

15. For the above reasons, I conclude that the absence of detail means that I cannot be sure that the proposal provides the most satisfactory design for the site and its surroundings and for the future occupants of the building. Therefore, the proposal conflicts with the relevant policies of the Development Plan and with the provisions of the Framework, as referred to above. Consequently, the appeal is dismissed.

Ian McHugh

INSPECTOR

Appendix 2



Epping Forest District Quality Review Panel

Report of Formal Review Meeting: Hillhouse, Waltham Abbey

Thursday 24 January 2019

Committee Room 1, Epping Forest District Council, 323 High Street, CM16 4BZ

Panel

Peter Maxwell (chair)
Kirsten Henson
Jan Kattein
Chris Snow
Peter Studdert

Attendees

Corey Isolda	Epping Forest District Council
Ione Braddick	Epping Forest District Council
Michael Johnson	Epping Forest District Council
Richard Fox	Epping Forest District Council
Graham Courtney	Epping Forest District Council
Mary Young	Essex County Council
Deborah Denner	Frame Projects
Allison De Marco	Frame Projects
Sarah Thwaites	Frame Projects

Apologies / report copied to

Alison Blom-Cooper	Epping Forest District Council
Nigel Richardson	Epping Forest District Council
Bliss O'Dea	Epping Forest District Council

Confidentiality

This is a pre-application review, and therefore confidential. As a public organisation Epping Forest District Council is subject to the Freedom of Information Act (FOI) and Environmental Information Regulations (EIR), and in the case of an FOI/EIR request may be obliged to release project information submitted for review.

CONFIDENTIAL

1. Project name and site address

Hillhouse Independent Living, Hillhouse, Ninefields, Waltham Abbey, Essex EN9 3ED

2. Presenting team

Ian Johnson	Hunters
Steve Hogben	Housing & Care 21
Peter Smith	Housing & Care 21

3. Planning authority's views

The Epping Forest Local Plan (Submission Version) was approved for publication and for submission to the Secretary of State on 14 December 2017. Epping Forest District Council has also resolved to approve the Local Plan (SV) as a material consideration in decision making. The Local Plan (SV) has been submitted to the Secretary of State for examination. This pre-application scheme is for an Independent Living Extra Care scheme comprising 60 affordable housing apartments and associated communal facilities for older persons. The scheme is intended to be submitted as a reserved matters application (scale, appearance, layout, landscaping) seeking approval for the independent living element of an outline consent granted in March 2017.

4. Quality Review Panel's views

The Quality Review Panel supports overall aspirations for the type of accommodation proposed and thinks the scheme's strong credentials - 100 per cent affordable independent living accommodation - form a solid foundation for promoting a positive vision of the scheme. It recommends that Essex County Council and Epping Forest District Council work to promote a clearer vision of the area – to ensure the Independent Living scheme and future health centre schemes are well integrated and create a coherent place. It strongly recommends further exploration of the benefits the community could gain from the scheme – articulating broader benefits could help shift the tone of discussions with the community. It recommends further work to explore the treatment of the site's edges and desire lines and movement around and across the site. It also recommends further work to ensure proposed public frontages are sufficiently prominent when viewed from Hillhouse so that they contribute positively to the public realm and support the vitality and viability. The panel strongly encourages further work to ensure the approach to landscape is integrated with built form and to explore opportunities to enhance ecological richness. It recommends exploring refinements to address: entrance arrangements; the level difference between parking areas and Hillhouse; colonnade, which it thinks may unhelpfully exaggerate the height of the building; a seemingly institutional appearance; roofline; and potential overheating. These comments are expanded below.

Vision and comprehensiveness

- The panel supports overall aspirations for the type of accommodation proposed, including active uses and benefits the scheme will bring to the local economy.

CONFIDENTIAL

- Within the constraints of the outline planning permission, the panel thinks there are opportunities to work towards a more comprehensive outcome. It recommends Essex County Council and Epping Forest District Council work to promote a clearer vision of the area to ensure the remaining outline uses of independent living and health centre are well integrated into a coherent place.
- In order to achieve this coherence, it will be important for Essex County Council and Epping Forest District Council to take a proactive approach in steering how these different uses come forward.
- The panel notes the current overall masterplan does not properly consider how the leisure, health and independent living elements relate to each other, or the larger open space – yet very prescriptive development platforms have been set. It urges this approach be avoided in future plans.

Benefits and integration

- While the panel supports the scheme's positive aspirations, some of the constraints of the outline planning permission, such as building set-back and indicative pedestrian and cycle routes, compromise opportunities for a more convincing response to context.
- It suggests exploring interventions that enhance how the public will experience the scheme. These can be promoted as scheme benefits – helpfully shifting the tone of community engagement.
- The panel strongly recommends a programme of continuous community engagement. It thinks there are opportunities to work with the community to enable it to feel that it has more investment in the scheme. This will be critical in dispelling any negative perceptions inherited from the outline planning process.

Contextual relationship – edges and desire lines

- The treatment of the site's edges will be essential in eliciting a positive response to the scheme – integrating it within the established community and supporting a sense of the scheme as a 'great neighbour'. The panel thinks the community could become more receptive if there were opportunities to access the Independent Living site, including its open spaces.
- The panel thinks there are opportunities to further explore desire lines and movement around and across the site within the constraints of the outline planning permission. It recommends exploring how local residents could be allowed to cross through the open spaces within the Independent Living site.
- The panel recommends looking at precedents of privately managed landscapes with permeable perimeters that appear welcoming to surrounding communities. Options could include controlled access arrangements, that limit access to spaces and routes to during the day.



CONFIDENTIAL

- It recommends reconsidering how 'indicative' pedestrian and cycle routes shown in the outline permission respond to desire lines. These do not appear to be aligned, with desire lines likely to cross the site diagonally from existing homes to the existing shops.

On-site public facilities and existing local centre

- The panel welcomes the economic benefits the scheme will bring forward, with additional spending aiding local shops and strengthening the community. It supports ambitions to create a spine of active uses – linking the scheme's public facing uses and spaces with the existing local shops to the south.
- It recommends further work to ensure proposed public frontages within the scheme are sufficiently prominent when viewed from Hillhouse so that they make a positive contribution to the public realm.
- Creating clear visual and physical links between new amenities and Hillhouse will be key in ensuring the viability of uses such as the hairdresser and will help draw people from the street – reducing any potential perception that they are exclusive to the scheme's residents.
- There is an opportunity to influence what comes forward on the adjoining site. For example, there may be potential to introduce a small public square along the southern edge of the site, fronting onto the health centre site - which could act as an anchor drawing the community into the scheme.

Residential entrance

- The panel suggests considering whether entrance arrangements, including legibility and layout, can be improved. There may be potential to ease the challenging level change between the building's main entrance and Hillhouse.
- It recommends that the legibility of the route towards the main entrance could be enhanced and suggests refining the arrival sequence – including the current prominence of the buggy store and refuse store fronting Hillhouse and the manner that the building is set back.
- It recommends testing the location of the refuse store. The proposed location is not readily accessible to staff and could result in refuse vehicles potentially blocking the site's vehicular entry.

Topography and massing

- The panel understands floorspace and footprint have been informed and confined by the outline planning permission which influences the scheme's massing and its height. Within these constraints it thinks there are two moves that could reduce the risk of scheme dominating its context.



CONFIDENTIAL

- It suggests examining the level difference between parking areas and Hillhouse – it is concerned this level change will give a sense of cars towering above pedestrians walking along Hillhouse. An option may be to set cars at a lower level – particularly as parking is a less sensitive use in respect of any flood risk issues.
- It thinks some architectural devices, such as the way a colonnade with three storey columns has been incorporated at the corner, may unhelpfully exaggerate the height of the building when viewed from the south east.

Architectural expression and materiality

- The panel broadly supports the way the scheme's architectural expression is evolving, including its elevational rhythm.
- There may be opportunities to reduce the seemingly institutional appearance of the scheme by reconsidering brickwork colour. The buff colour is more closely aligned with another institutional building, the Leisure Centre, rather than the warmer brick prevalent for surrounding homes.
- As architectural detailing is further evolved, the panel recommends detailed brickwork studies alongside work on the depth of elements such as reveal.
- The panel is surprised that the architectural expression and materiality do not respond more clearly to the strong contextual cues of surrounding development – including the strong identity of 70s architecture.

Roofline

- The panel thinks the roof design results in the building having a greater visual impact than alternative choices, such as a simple parapet, might have. It is concerned the roofline will undermine the attractive elevational rhythm being established. A simple parapet may be more sympathetic to context.

Landscape, including existing feature

- The panel thinks there is a gap in respect of landscape and encourages pursuing a detailed approach with a landscape architect that convincingly embeds built form within a landscape setting.
- The panel welcomes the commitment to retain the line of existing trees along Hillhouse – it thinks these are a distinctive feature. It recommends further work to enhance ecological diversity – which would have broader benefits for the area.
- It welcomes proposals for allotments but worries the proposed location will be overshadowed. It also suggests looking at whether the community could be given opportunities to access the allotments, expanding their benefit more widely, for example through links with local schools.



CONFIDENTIAL

Amenity and accessibility

- The panel applauds the team's expansive approach to housing guidance, especially reference to Housing for Ageing Population Panel for Innovation guidance.
- The panel also commends unit layouts and large windows. It supports the generous balconies, with depths that will assist in preventing overheating. It would like to see individual elements detailed to give a delicate appearance.

Circulation

- The panel asks whether there are opportunities to capitalise on the independent self-contained flat typology, including scope to reduce the amount of internal circulation space. Corridors appear overly lengthy, creating a long walk for elderly residents.
- If opportunities exist, the panel recommends looking at refining access arrangements to reduce these distances – potentially reducing the number of units accessible off cores or considering if circulation can be provided externally.

Overheating and sustainability

- As a long-term investor and owner operator, the panel thinks Housing & Care 21's approach to building fabric and energy efficiency could be more ambitious – securing meaningful energy cost reductions for residents in the long-term. It thinks the absence of photovoltaics is a missed opportunity.
- The panel suggests early overheating modelling of west facing apartments. While applauding the generous windows, there may be overheating risks in respect of some west facing units, which will receive low angle sun.
- It suggests exploring opportunities for the use of modular construction – which could be compatible with this building typology. It also recommends considering long-term transition away from gas boilers – noting a trend towards electric heating.

Visualisations

- The panel urges that additional visuals be generated showing the scheme from street level – as it would appear walking along Hillhouse.

Next steps

- The panel would like the opportunity to comment on the scheme again, once designs have evolved in response to its recommendations.



Minutes of Development management Forum

Development Management Forum held at Waltham Abbey Leisure Centre, Hill House, Waltham Abbey.

4th March 2019, 7pm

Proposal: Land at Hillhouse, Waltham Abbey, EN9

Council Officer Attendees:		Applicant Attendees:	
Richard Fox (RF, Chair)	Principle Planning Officer– Epping Forest District Council	Steve Hogben (SH)	Housing and Care 21
Corey Isolda (CI)	Senior Planning Officer – Epping Forest District Council	Peter Smith	Housing and Care 21
		Ian Johnson	Hunters

Principle Officer (Planning), Richard Fox chaired the meeting and welcomed those who had attended (about 50 people). He informed the audience that the purpose of the meeting was to allow them to raise any issues they may have and to obtain answers to questions about the particular proposal, after the introduction by EFDC officers and presentation of the development by the applicant. Such a Forum allows early discussion on planning issues related to these proposals and to explore the scope for amendments and agreement between all parties in a positive and constructive way prior to the consideration and determination of the application at a future meeting of the Council's District Development Management Committee. Any letters already received through the planning application consultation will still be valid and considered as part of the planning application process. He set out the timetable/agenda for the meeting.

The Case Officer (Corey Isolda) gave background information on the application. This included the location of the site; the details of the proposal; policy implications; the main issues affecting the determination of the application He listed the main issues when considering the proposed development to be:-

- Inclusive, accessible and legible design needed for older residents.
- Need connectivity and cohesion with surrounding community.
- Proposals must be high quality and appropriate for its use; welcoming, homely, residential, community orientated.
- A sense of place must be established; innovation and design quality aspirations would be supported.

A strong landscape vision is required. The Architect gave a presentation outlining the proposed development. He would send his presentation to be included as part of the supporting information to the minutes.

RF then opened up the meeting to comments and questions from audience members.

Comments and questions (Q and A)

Q. If outline consent has already been agreed what are we here to discuss?

CI: The council recognises the sensitive nature of the site and the outline approval and want to ensure, through discussion, that the proposed building responds to local needs and concerns through its detailed design and landscaping etc..

Q. How will highway safety concerns be dealt with through this application, as older peoples accommodation could mean lots of ambulances etc.

CI: At outline stage the application was looked at by the highways authority and considered acceptable. Whilst reduced parking has been proposed this will be looked at through the wider application.

Q. Is all the affordable housing social rent.

SH: The proposal would contain a majority of shared ownership unit with some social rented units.

Q. How will overlooking be dealt with?

SH: The upper floors have been recessed to avoid any significant overlooking of nearby dwellings

Q. Jubilee Court is a block of Sheltered accommodation within the Ninefields estate, it is currently under capacity and cannot be filled, why is this accommodation needed.

SH: We have been instructed by Essex County Council to provide older peoples accommodation as they have identified a need.

Q. Could this not be housing for younger people?

SH: Essex County council have identified a need for older peoples accommodation.

Q. Does the proposed height of 10 to 13 metres include the field?

SH: The height of the building does not include the raised land level of the field..

Q. Could the application be refused by committee.

RF: Yes, it could be refused by committee but the applicant would retain the right to appeal.

Q. Would the rent include a service charge?

SH: Yes, there would be a £180 service charge due to the onsite staff required

Q. Would air quality impact be controlled, with emphasis on the impact of traffic on the school nearby.

CI: Yes, this would be protected under environmental and planning regulations, including policies in the Submission Version Local Plan relating to air quality and the Epping Forest Special Area of conservation

Q. Is the height and unit number fixed

CI: The unit number is a maximum as opposed to a minimum and the height could be lowered

SH: It would not be viable to reduce the scheme.

Q. How long will construction take

SH: 18 months approximately.

Audience members stated that due to the capacity of the highway lorries may not fit and would cause issues. Concern was also stated about the loss of on-street parking during and after construction. Great disruption would be caused to the school at pick up/drop off times

CI: Construction management could be controlled by condition.

Residents then voiced concern about the impact on parking, with specific reference to Maynard Court. Residents also stated that the introduction of a coffee shop and hairdresser where not big enough benefits to outweigh the loss of public space and that the height of the building would cause harm to amenities and the character of the area. The applicants responded stating:

SH: The building has to be of this height to meet building regulations and to accommodate 60 units. The design has been made higher to reduce its footprint and overall impact on the green space in response to concerns raised.

Q. Will there be a loss of parking to the school

CI: The parking situation at the school will remain the same.

Q: Will we be listened to?

CI: All neighbours and attendees who have registered today will be consulted as part of any application. We will encourage that the points from today's meeting actively impact the design of the proposal.

Q. What do your other developments look like?

SH: All of our sites respond to their setting and context of the area.

Q. Brickendon Court will be overlooked and there may be drainage issues?

CI: Overlooking of any neighbouring properties will be given careful consideration. Drainage and flood risk details would be required as part of any application.

Q. Where will the people who live in the development be from?

PS: 90% of residents would be likely to be from Epping Forest District, more specifically within a 5 mile radius of the development.

Q. Were all against this development, how will this be taken into account?

CI: All affected residents and attendees of this meeting who have registered today will be consulted as part of any application. We will advise that the points from today's meeting be taken into consideration by the applicant, as they further develop their proposals.

Meeting was closed by RF at 9:00pm.

Conditions: (26)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

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

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Topo Plan – Drg No. APL 1001 Rev B
Proposed Site Plan – Drg No. APL 1002 Rev C
Landscape Concept Plan – Drg No. APL 1003 Rev A
Ground Floor Plan – Drg No. APL 1004 Rev D
First Floor Plan – Drg No. APL 1005 Rev D
Second Floor Plan – Drg No. APL 1006 Rev D
Roof Plan – Drg No. APL 1007 Rev C
Elevations – Drg No. APL 1008 Rev D
Elevation Detail – Drg No. APL 1009 Rev C
Sections – Drg No. APL 1010 Rev C
Proposed Fire Strategy – Ground Floor Plan – Drg No. APL 1020
Proposed Fire Strategy – First Floor Plan – Drg No. APL 1021
Proposed Fire Strategy – Second Floor Plan - Drg No. APL 1022
Fire Design Statement Dated May 2023
Addendum Design and Access Statement
Ecology Statement Dated May 2023 and BNG Report Dated 14 April 2023
Daylight and Sunlight Report (Within Development) Dated 17 May 2023
Daylight and Sunlight Report (Neighbouring Properties) Dated 18 April 2023
Highways/Car Parking Note Dated 27 February 2023
Arboricultural and Planning Integration Report Dated 28 February 2023
Drainage Strategy Dated 14 April 2023
Sustainability Statement Dated 20 April 2023

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

- 3 No development shall take place until details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:-

- Construction drawings for each drainage/SuDS feature proposed on site;
- Volume of attenuation – To assure the Council that sufficient attenuation is provided for the whole development, please provide further information with regards to the rain gardens and the areas which drain into them (m²). It is noted that the raingardens are proposed to manage run off from the footpaths and overland flows from amenity areas, with the east garden also managing the road run off from access and parking.
- Water Quality – This in relation to the surface water picked up by the linear drain in the access to the development which connects directly into the cellular storage, it must be ensured that this area is sufficiently treated in line with the Simple Index Approach.
- Permeable paving – As infiltration is not a viable solution, the permeable paving

identified in the key by a blue shade must connect into the wider system, please provide details of how these areas are managed, ensuring they are attenuated.

The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Further details in regard to how the fin drain proposed at the entrance of the site will function to meet best practice guidelines as laid out in non-statutory technical standards for sustainable drainage systems; Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide; The CIRIA SuDS Manual (C753); BS8582 Code of practice for surface water management for development sites.

The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 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: 1. The parking of vehicles of site operatives and visitors 2. Loading and unloading of plant and materials 3. Storage of plant and materials used in constructing the development 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate 5. Measures to control the emission of dust and dirt during construction, including wheel washing. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction. 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 8 (1) Prior to any above ground works, sample panels of brickwork demonstrating the colour, texture, bond and pointing of the brickwork have been constructed on site. The Local Planning Authority shall approve in writing the colour, texture, bond and pointing of the brickwork prior to development commencing and the development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

(2) Prior to any above ground works, documentary and photographic details of the type and colours of all other external finishes of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 9 The proposed development shall be undertaken in accordance with the recommendations made in the Ecological Assessment by Hushwing dated 14/4/23 submitted as part of this application.

Reason: In order to conserve protected species or their breeding sites, or resting places in accordance with the NPPF, policy DM1 of the Adopted Local Plan.

- 10 Prior to the occupation of the development a Habitat Management and Monitoring Plan shall be submitted to and approved by the Local Planning Authority. , detailing how habitats will be enhanced, created, secured, managed and monitored for 30 years. The plan shall include the following:-

- Description and evaluation of the features to be managed;
- Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery;
- Aims and objectives of the management plan, and appropriate management options for achieving aims and objectives;
- Ecological trends and constraints Onsite which might influence its management;
- A work schedule including planting and an annual work plan capable of being rolled forward over a 30-year period;
- Details of the body or organization responsible for implementation of the plan; and
- Ongoing monitoring and remedial measures. Include a long-term management plan with details of monitoring and remedial actions to be taken if enhanced or created habitats fail to attain the desired level of condition within predicted timescales..

The Habitat Management and Monitoring Plan shall be carried out as approved.

Reason: To maintain and improve the biodiversity of the site and to mitigate any impact from the development hereby approved, in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 11 The development hereby approved shall not be occupied until details of a scheme of external lighting have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and no external lighting other than in accordance with the approved details shall be installed on the site.

Reason: To ensure that the use does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

details as follows:

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

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with Policies T1 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 13 The proposed development shall be undertaken in accordance with the recommendations made in the Sustainability Statement by Darren Evans dated 20 April 2023 submitted as part of this application.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future in accordance with Policies DM9 & DM20 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 The proposed development shall be undertaken in accordance with the recommendations made in the Biodiversity Gain v5 ref HW1075.2.5 by Hushwing dated 14/4/23.

Reason: To maintain and improve the biodiversity of the site and to mitigate any impact from the development hereby approved, in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with Policies D5, DM2, DM9 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 17 Details of the roof top plant or roof located paraphernalia (including communications antennae) and solar panels to be installed on the roof shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works commencing onsite. The development shall be carried out and operated strictly in accordance with the details so approved. The solar panels shall be provided/installed prior to the first occupation of the

development and shall be maintained as such thereafter.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DM9 and DM20 of the Adopted Local Plan (2023), and the NPPF.

- 18 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers, and or Oyster cards, for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Epping Forest Local Plan 2011-2033 (2023), and the NPPF 2021.

- 19 The development hereby approved shall not be occupied until a scheme of secure, covered cycle parking and timetable for implementation has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason:- To provide and encourage the use of more sustainable means of travel as an alternative to motor vehicles in accordance with the guidance contained within the National Planning Policy Framework and policies SP3 and T1 of the Local Plan.

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

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 21 Prior to the first use of the balconies within units numbered 34, 38, 56 and 59, details of privacy screens positioned close to the northern boundary of the balconies which are no lower than 1.7 metres high shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented before occupation in accordance with the approved details and so retained.

Reason:- To prevent overlooking and loss of privacy to the occupants of the neighbouring properties, in accordance with the guidance contained within the National Planning Policy Framework and policy DM9 of the adopted Local Plan.

- 22 The parking spaces shall be as dimensioned on the approved plan drawing no. APL1002 rev C and shall be provided prior to the first use of the development and shall be retained free of obstruction for the parking of staff and visitors' vehicles.

Reason:- In the interests of highway safety, in accordance with the guidance contained within the National Planning Policy Framework and policy T1 of the adopted Local Plan.

- 23 Other than shrub or tree planting, the front boundary railings and gates hereby permitted shall not be infilled or enclosed by, or supplemented by any fence, screen or other means of enclosure without prior consent from the local planning authority through submission of a planning application.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 24 All areas of open space outside of domestic curtilages shall be retained in perpetuity for general use by all residents within the development, and shall not be enclosed nor have access restricted without prior consent from the local planning authority through a planning application.

Reason This aspect of the application has been justified as a public facility and any change thereto requires appropriate consideration in accordance with policies DM5, DM9 and DM10 of the Local Plan and the NPPF 2021.

- 25 Access to the flat roof over the flat roof area of the western section of the linear block positioned nearest to 48 and 49 Cullings Court hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 26 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 27 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.