

**committee agenda**



**Epping Forest  
District Council**

***District Development Management Committee  
Monday, 6th July, 2020***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

**Virtual Meeting on Zoom  
on Monday, 6th July, 2020  
at 7.00 pm .**

**Georgina Blakemore  
Chief Executive**

**Democratic Services  
Officer**

Gary Woodhall  
Tel: 01992 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

**Members:**

Councillors S Jones (Chairman), B Rolfe (Vice-Chairman), H Brady, D Dorrell, I Hadley, S Heap, H Kane, H Kauffman, J Lea, R Morgan, J Philip, C C Pond, C Roberts, J Share-Bernia and J M Whitehouse

**SUBSTITUTE NOMINATION DEADLINE:**

**18:00**

**1. WEBCASTING INTRODUCTION**

(Corporate Communications Manager) This meeting is to be webcast. On behalf of the Chairman, the Democratic & Electoral Services Officer will read the following announcement:

*“Please note that this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.*

*You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.*

*Therefore by participating in this virtual meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or*

*training purposes. If members of the public do not wish to have their image captured they should ensure that their video setting throughout the virtual meeting is turned off and set to audio only.*

*In the event that technical difficulties interrupt the virtual meeting that cannot be overcome, the Chairman may need to adjourn the meeting.*

*If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.”*

**2. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES (Pages 5 - 6)**

(Democratic & Electoral Services Manager) General advice for those persons attending the meeting of the Committee is attached as an Appendix to this agenda.

**3. APOLOGIES FOR ABSENCE**

(Democratic & Electoral Services Manager) To be announced at the meeting.

**4. SUBSTITUTE MEMBERS**

(Democratic & Electoral Services Manager) To report the appointment of any substitute members for the meeting.

**5. DECLARATIONS OF INTEREST**

(Democratic & Electoral Services Manager) To declare interests in any item on the agenda.

**6. MINUTES (Pages 7 - 18)**

(Democratic & Electoral Services Manager) To confirm the attached minutes of the meeting of the Committee held on 18 March 2020.

**7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE**

(Development Management Service Manager) A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

[http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note\\_Mar-2018.pdf](http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)

**8. PLANNING APPLICATION EPF/0018/20 - MALTINGS FARM, CHURCH ROAD, MORETON (Pages 19 - 30)**

(Development Management Service Manager) To consider the attached report.

**9. ANY OTHER BUSINESS**

(Democratic & Electoral Services Manager) Section 100B(4)(b) of the Local Government Act 1972 requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

**10. EXCLUSION OF PUBLIC AND PRESS**Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers

Article 17 (Access to Information) of the Constitution defines background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

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## Advice to Public and Speakers at Council Planning Sub-Committees

### Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

### When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Sub-Committee.

### Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

### Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

### What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Sub-Committee will determine the application in your absence.

### Can I give the Councillors more information about my application or my objection?

**Yes you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

### How are the applications considered?

The Sub-Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Sub-Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Sub-Committee. Should the Sub-Committee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee are required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
  - (i) the Council's approved policy framework; or
  - (ii) the development or other approved plan for the area; or

- (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

**Further Information?**

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** District Development Management Committee    **Date:** 18 March 2020

**Place:** Council Chamber - Civic Offices    **Time:** 7.30 - 8.35 pm

**Members Present:** S Jones (Vice-Chairman), N Bedford, D Dorrell, J Philip, J M Whitehouse, G Chambers, S Heather and J Knapman

**Other Councillors:** -

**Apologies:** B Sandler, H Brady, I Hadley, H Kauffman, R Morgan, C C Pond, C Roberts and B Rolfe

**Officers Present:** I Ansell (Senior Planning Officer), S Kits (Social Media and Customer Services Officer), A Marx (Development Manager Service Manager (Planning)), N Richardson (Service Director (Planning Services)) and G Woodhall (Democratic & Electoral Services Officer)

### 20. WEBCASTING INTRODUCTION

On behalf of the Chairman, the Democratic & Electoral Services Officer reminded everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

### 21. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES

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

### 22. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor J Knapman for Councillor B Sandler;
- (b) Councillor G Chambers for Councillor I Hadley; and
- (c) Councillor S Heather for Councillor H Brady.

### 23. DECLARATIONS OF INTEREST

There were no declarations of interest were made by members of the Committee, pursuant to the Council's Code of Member Conduct.

**24. MINUTES****Resolved:**

- (1) That the minutes of the meeting of the Committee held on 22 January 2020 be taken as read and signed by the Chairman as a correct record.

**25. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE**

The Service Director (Planning Services) reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017. Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for Councillors, Officers, Applicants, Planning Agents and other persons involved in the development management process.

**Resolved:**

- (1) That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, be noted.

**26. PLANNING APPLICATION EPF/1681/19 - CHIGWELL PRIMARY ACADEMY, HIGH ROAD, CHIGWELL**

The Senior Planning Officer presented a report for the construction of a new Chigwell Primary Academy followed by the demolition of the existing buildings and creation of a new playing field and playground, together with residential development comprising 59 dwellings with car parking, garden spaces, vehicular access from Chigwell High Road (A113), external landscaping and associated development.

The Senior Planning Officer reported that the application site comprised the Chigwell County Primary School and the former BI Sports Grounds; the total area of the site was 4.76ha. The application site was outside but adjacent to the Chigwell Conservation Area, and the surrounding area comprised a mixture of residential and non-residential buildings, including three listed buildings. This application was an amendment to the scheme approved in 2018, but the changes were significant enough to warrant a new planning application. The key change was the construction of a replacement School building instead of refurbishing and extending the existing buildings. The residential element of the scheme had also been revised.

The Senior Planning Officer informed the Committee that Planning Officers had concluded the provision of a new School was a significant improvement from the previous scheme to refurbish the current facilities, and would provide a building with a longer potential lifespan. The benefits to the local area in general and the school community in particular would far outweigh any harm to the Green Belt. This also confirmed the previous assessment that the proposals provided unique and very special circumstances to justify the development in the Green Belt.

The residential elements of the scheme were largely the same as before. However, the application had to be considered in the context of changing policy and would have wider implications in terms of local policy on the provision of affordable housing, community infrastructure and the need to promote local transport. The measures in the revised legal agreement addressed these issues, including a contribution to deal

with the impact of further recreational pressure on the Epping Forest Special Area of Conservation (EF SAC). In considering the potential impact on air quality, the application would increase vehicle activity beyond the levels forecast for the previous scheme.

The Senior Planning Officer concluded that Planning Officers had recommended the application be approved, subject to appropriate conditions and the completion of a legal agreement.

The Committee noted the summary of representations received in respect of this application, including six letters of objection from local residents, support from Chigwell Parish Council and no objection from Essex Highways or Sport England. Essex County Council and NHS West Essex Clinical Commissioning Group sought contributions for Early Years and Childcare, Secondary School provision and General Practice health provision. The Committee heard from an Objector for the Chigwell Residents Association and the Applicant's Agent before proceeding to debate the application.

A number of Councillors felt that the basic principle was sound and that this was a better proposal as a new school would be provided and the size of the houses in the enabling development were reduced. It was accepted by most of the Committee that on-site affordable housing would affect the viability of the scheme and the provision of the School. In addition, a legal agreement was necessary to provide a new School in a relatively short space of time.

Some Councillors were concerned that the residential development would be completed without the new School being built, or if there was any guarantee that 59 houses could be built and sold in 15 months to enable the new School to be ready for the 2021/22 academic year. The Senior Planning Officer explained that the report detailed the scheduling for this application, which had been agreed between Planning Officers and the Applicant's Agent, and the approach adopted had been similar to that for the previous application whereby residential units would be released for sale when the building of the new School reached certain key stages. The Committee was reminded that the planning obligations would remain in force even if the site was sold to a different developer, and that condition 31 removed permitted development rights for the residential units constructed as part of this scheme.

There was some sympathy with the view of the Chigwell Residents Association that not all of the £800,000 contribution for local transport infrastructure should be committed to the local bus service in Chigwell Parish; however, Cllr J Knapman highlighted that an additional £800,000 for the local bus service would enable it to run for at least another nine years as it had been financed by the Parish Council for the previous three years. Cllr J Philip suggested that this contribution could also be used to extend the number 87 bus service from the Epping Forest Shopping Park in Loughton into Chigwell but that the detail of the local transport infrastructure contribution could be dealt with as the scheme progressed. Cllr J Knapman highlighted that Chigwell was not a cycle friendly area so buses could provide the necessary sustainable transport. To that end, Cllr J Knapman stated that he would like to see some of the proposed contribution be used for the Chigwell bus service, possibly £200,000 to pay for the next two years and subject to a review at that time.

The Service Director for Planning Services reminded the Committee that the Infrastructure Delivery Plan (IDP) in the Local Plan had identified schemes for Chigwell, which included cycle routes and to which this money could be directed to. The Chigwell bus service had not been identified in the IDP.

Councillor J Philip suggested some amendments to the schedule for the release of residential units for sale and occupation, which would form part of the Section 106 legal agreement. Firstly, that all the elements in the schedule should begin with the word 'After' and continue to say that "...no more than x% of the ...". Secondly, that the following amendments should be made to the schedule itself:

- After completion of school envelope / building watertight, no more than an additional 20% of residential units to be occupied;
- After fit out and handover of new school, no more than an additional 20% of residential units to be occupied;"

The Committee agreed these amendments and felt that they should be detailed within the planning obligations to be secured by the legal agreement.

**Decision:**

(1) That planning application EPF/1681/19 at Chigwell Primary Academy in the High Road, Chigwell be approved subject to a Legal Agreement under Section 106 of the Town & Country Planning Act 1990 and the following conditions:

1...The school and residential developments hereby permitted must each be begun not later than the expiration of three years beginning with the date of this notice.

2...The development hereby permitted will be completed strictly in accordance with the approved drawings nos:

School development: (05)100 B, A1 PL A (05) 200 B, A 2 PL A (05)201A, PL A (05) 202 B, A PL A(05)220 C, PL A(05) 221 C, SK001 and SK002

Housing development: (05) 114 B, (05) 115 A, (05) 116, (05) 117 A, (05) 120 A, (05) 121 A, (05) 122 A, (05) 123 A, (05) 150 B, (05) 152 B, (05) 154 B, (05)156 B, (05) 158 B, (05) 160 B, (05) 161 B, (05)162 B, (05) 220 D, (05) 221 D, (05) 222, (05) 223, (05) 224, (05) 225 and (05) 226.

General - (05) 001 A, (05) 200 H, (05) 201 F, (05) 202 D, (05) 300 B, 171121-003, 171121-04 and 7549-D-AIA.

3...No development above ground shall take place on the residential scheme until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

4...Prior to the commencement of the residential development other than groundworks, a detailed mitigation and compensation strategy in relation to bats identified in the report accompanying the application written in accordance with current guidelines available from Natural England (or other relevant body), accompanied by a Natural England European Protected Species licence (EPS) shall be submitted to and approved by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy unless otherwise agreed in writing.

5...No development shall take place on the residential development site until tree protection measures indicated in the Arboricultural Impact Assessment accompanying the application and shown on drawing number 7549-D-AIA have been installed and in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations). The tree protection measures shall be fully retained for the duration of the development in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

6...Prior to the commencement of development other than ground excavation works, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

7...No development shall take place, including any works of demolition, until a full Construction Method Statement for the main contractor and following the principles set out in Construction Management Plan accompanying the application prepared by Avison Young dated August 2019 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:

- a...safe access into the site for construction traffic;
- b...the parking of vehicles of site operatives and visitors;
- c...loading and unloading of plant and materials;
- d...storage of plant and materials used in constructing the development;
- e...the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f...measures to control the emission of dust and dirt during construction, including vehicle wheel and underbody washing; and
- g...a scheme for recycling/disposing of waste resulting from demolition and construction works.

All measures shall be retained for the duration of the construction programme unless otherwise agreed in writing by the Local Planning Authority

8...A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

9...No construction works above ground level shall take place until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) for the residential development site have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

10...No construction works above ground level shall take place until samples and documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

11...No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared, provided a written report of confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site, and that written confirmation has been approved by the Local Planning Authority.

12...Prior to the commencement of the residential development other than groundworks, a precautionary working method statement to ensure no amphibians, reptiles or dormice are injured or killed during clearance of suitable habitat shall be submitted to and approved by the Local Planning Authority. All works shall thereafter proceed in accordance with the approved strategy unless otherwise agreed in writing.

13...Prior to any development above ground level, details of the refuse and recycling storage and a cycle shelter for the flatted development shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully completed prior to first occupation of the said flatted development.

14...Prior to commencement of development, other than ground works, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a...identify those areas/features on site that are particularly sensitive for bats e.g. along important routes used to access key areas of their territory, for example, for foraging;

b...show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places; and

c...identify lighting to roads, communal parking areas, and external lighting on all buildings within the site.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior consent from the Local Planning Authority.

15...In accordance with the recommendations in the Ecological Assessment accompanying the application, prior to any development above ground level, a biodiversity enhancement statement should be submitted to and approved by the Local Planning Authority. This should include a wildlife buffer with swales and marshland habitat, two bat boxes, four bat bricks, ten bird boxes, native wildflower sowing, native hedgerow planting, a free-standing four-chamber bat house and a new pond. All works shall then proceed in accordance with the approved strategy unless otherwise agreed in writing, shall be completed before first occupation of the residential development and shall then be maintained.

16...No development shall commence until a Phase 2 site investigation for contamination is completed in accordance with the protocol for the investigation prepared by Gemco in November 2019 and submitted in the application. The assessment shall be carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

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

18...In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

19...No works other than groundworks shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

20...Prior to any playing field construction works commencing on the site:

a...a survey of the ground conditions of the land proposed for the new playing field shall be undertaken to identify constraints which could affect playing field quality;

b...based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed playing field construction specification; and

c...a programme for the implementation of the detailed playing field construction specification;

shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works shall be carried out in accordance with the approved specification and programme.

21...Prior to the first occupation of the development the visibility splays for each access, the access arrangements and footway improvement works, as shown in principle on Ardent Consulting Engineers drawing no.171121-003, dated 28 June 2019, shall be fully implemented and maintained as such in perpetuity.

22...Prior to the first occupation of the development the developer shall implement a pedestrian dropped kerb crossing, within the vicinity of the mini-

roundabout, across Vicarage Lane, with the exact location and detail to be agreed with the Highway Authority.

23...No diversion of any existing definitive right of way shall take place until such time as an Order securing the diversion of any such rights of way to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.

24...Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

25...All walls, fences, gates and other means of enclosure within the residential development shall be completed in accordance with the details shown on drawing number (05) 300 B prior to first occupation of any building to which the works relate, unless otherwise agreed by the Local Planning Authority.

26...Measures for the eradication of Japanese Knotweed on the site shall be completed wholly in accordance with the details approved under application reference EPF/0949/17 and such works shall be completed and certified as complete by a competent person prior to the commencement of the residential development, unless otherwise agreed in writing by the Local Planning Authority.

27...All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

28...All material excavated from below ground level shall be removed from the site unless otherwise agreed by the Local Planning Authority.

29...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.

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

31...Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B, E and F of Part 1

of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

(2) That the Legal Agreement under Section 106 of the Town & Country Planning Act 1990 be concluded prior to any development on the site to secure the following planning obligations:

a...an affordable housing contribution of £3,000,000 for offsite affordable housing provision;

b...a local transport infrastructure contribution of £800,000;

c...an early years education infrastructure contribution of £92,336;

d... a secondary education contribution of £273,925;

e...a health care contribution for local GP capacity improvement of £22,402;

f... a contribution to mitigation of recreational pressure on the Epping Forest Special Area of Conservation of £20,768;

g... a community facility enhancement contribution in accordance with the identified local Infrastructure Delivery Plan requirements of £60,563.81; and

h...the following schedule for the sale and occupation of the residential units:

- School set up commencement to start June 2020;
- On completion of the School foundations and sub-structure, no more than 25% of the residential units can be occupied;
- On completion of the school superstructure, no more than 50% of the residential units can be occupied;
- On completion of the school envelope / building watertight, no more than 70% of the residential units can be occupied;
- On fit out and handover of the new school, no more than 90% of the residential units can be occupied;
- On completion of the demolition of the existing school buildings and external works to school grounds, the final 10% of the residential units can be occupied.

## **27. RELEASE OF PLANNING PERMISSIONS PREVIOUSLY AGREED BY THE COMMITTEE**

The Service Manager for Development Management, A Marx, presented a report concerning the release of planning permissions for four applications previously granted by a Planning Committee.

The Service Manager stated that before granting planning permission for an application which was likely to have a significant effect on the Epping Forest Special Area of Conservation (EFSAC), the Council had to undertake an appropriate assessment which included consultation with Natural England. The view of Natural England was that any development within the District which resulted in increased vehicle movements on roads within 200 metres of the EFSAC was likely to have a significant impact on the EFSAC. In addition, it was also the view of Natural England that such impacts were best dealt with by a plan-led strategic solution rather than on a case-by-case basis. Consequently, a number of planning applications had been held in abeyance pending an acceptable air quality mitigation strategy.

The Service Manager explained that the Council had undertaken a comprehensive review of all the planning applications that had been held in abeyance, and had identified a number of applications as having no likely significant effect on the EFSAC. Decisions relating to a number of these applications made under delegated authority were issued between December 2019 and January 2020. The following four planning applications had also been identified as having no likely significant effect on the EFSAC, but they had been agreed by one of the Planning Committees subject to a legal agreement for a financial contribution or mitigation measures relating to the air quality of the EFSAC:

- (i) EPF/1213/18 – Tower Nursery at Netherhall Road, Roydon. Planning permission originally granted by the District Development Management Committee on 28 November 2018.
- (ii) EPF/0238/19 – Stapleford Farm at Oak Hill Road, Stapleford Abbots. Planning permission originally granted by the Area Planning Sub-Committee East on 7 August 2019.
- (iii) EPF/0621/18 – Tutein Farm at Grove Lane, Chigwell. Planning permission originally granted by the District Development Management Committee on 1 August 2018.
- (iv) EPF/1424/18 – Land adjacent 240 The Broadway in Loughton. Planning permission originally granted by the Area Planning Sub-Committee South on 20 February 2019.

The Committee was requested to agree to the release of the planning permissions for the four applications in question, subject to the planning conditions as previously agreed, but not subject to a legal agreement relating to air quality mitigation measures only.

The Committee noted that the meaning of ‘significant impact’ was not clear; any additional traffic movements could be classed as ‘significant’. However, the Council had worked extensively with Natural England to obtain the release of these planning permissions, and this was a necessary process in order for the Council to meet its Local Plan housing targets.

**Decision:**

- (1) That planning permission be released for the following applications, subject to the planning conditions previously agreed but with no requirement to enter into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions or other mitigation measures relating to the air quality within the Epping Forest Special Area of Conservation:

- (a) EPF/1213/18 – Tower Nursery in Netherhall Road, Roydon;
- (b) EPF/0238/19 – Stapleford Farm in Oak Hill Road, Stapleford Abbots;
- (c) EPF/0621/18 – Tutein Farm in Grove Lane, Chigwell; and
- (d) EPF/1424/18 – Land adjacent to 240, The Broadway in Loughton.

**28. ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Committee.

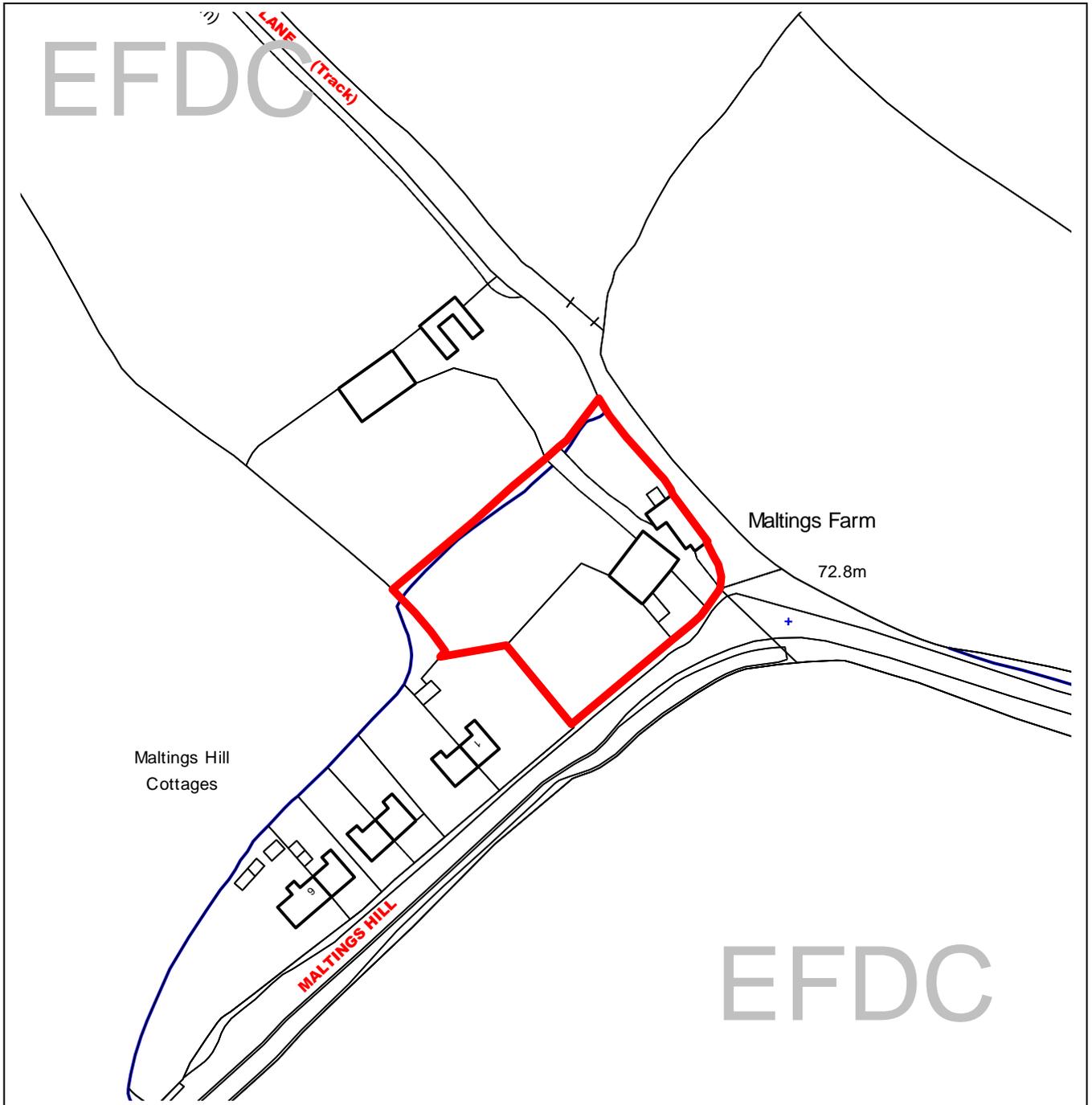
**29. EXCLUSION OF PUBLIC AND PRESS**

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

**CHAIRMAN**



### Agenda Item Number 8



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Application Number:	EPF/0018/20
Site Name:	Maltings Farm Church Road MoretonOngar CM5 0JY
Scale of Plot:	1:1250

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# **Report to the District Development Management Committee**



**Report Reference: EPF/0018/20**  
**Date of Meeting: 6 July 2020**

**Epping Forest  
District Council**

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**Address: Maltings Farm, Church Road, Moreton, CM5 OJY**

**Subject: Planning Application EPF/0018/20: Reserved Matters Application ref: EPF/0181/18. (Outline planning application for removal of outbuildings & an existing dwelling. Erection of x3 no. detached dwellings. Formation of a new highway access & ancillary works).**

**Responsible Officer: Alastair Prince (01992 564462)**

**Democratic Services: Gary Woodhall (01992 564470)**

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## **Recommendations:**

**(1) That planning application EPF/0018/20 be recommended for refusal of planning permission by Area Planning Sub-Committee East due to the scale of the proposed dwellings and their impact on the openness of the Green Belt.**

## **Report:**

1. The application was considered at Area Planning Sub-Committee East on 18 May 2020 with a recommendation from Officers to approve, subject to the below conditions.

2. During the consideration at Area Planning Sub-Committee East a discussion was had with regards to the legal status of the Moreton, Bobbingworth and The Lavers Neighbourhood Plan in relation to this particular application. The reason for this was because Outline Planning Consent was granted on Appeal for the removal of outbuildings and the existing dwelling and the erection of three detached dwellings, along with formation of new highway access and ancillary works in March 2019, which was before the adoption of the Moreton, Bobbingworth and The Lavers Neighbourhood Plan in October 2019. However this Reserved Matters application is being determined after the adoption of the Neighbourhood Plan.

3. It can be clarified that Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 provides that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning acts the determination must be made in accordance with the provisions of the development plan unless material considerations indicate otherwise. The development plan for these purposes means the relevant documents within the development plan as they stand, at the time of the making of the decision which, in this case, includes the Moreton, Bobbingworth and The Lavers Neighbourhood Plan. If there

are conflicts between the Neighbourhood Plan and other documents within the development plan, the Neighbourhood Plan, being the most recent policy will prevail (S38(5) PCPA 2004).

4. Notwithstanding the above, the extant Outline Planning consent is a material consideration that is given significant weight in this application and it is considered that in this particular case, this would constitute an exceptional circumstance sufficient enough to outweigh the failure to comply with the adopted Neighbourhood Plan. Members of Area Planning Sub-Committee East agreed with this conclusion.

5. Nonetheless, the Members of Area Planning Sub-Committee East recommended refusal of the application due to the scale of the proposed dwellings and their impact on the openness of the Green Belt. Four members of the Sub-Committee then invoked the Minority Reference rules of the Constitution to refer this application to the Committee for a decision.

6. The original report considered by Area Planning Sub-Committee East on 18 May 2020 is reproduced below.

**Original Recommended Conditions:**

**That planning application EPF/0869/19 be granted planning permission subject to the following planning conditions:**

- (1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice;  
Reason:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).**
- (2) The development hereby permitted will be completed strictly in accordance with the approved drawings nos: A1/664; 01A, 02A, 03A, 04A, RBL/MF/01, Arboricultural Report, Design and Access Statement;  
Reason: To ensure the proposal is built in accordance with the approved drawings**
- (3) No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details;  
Reason:- To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 and DBE4 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2019.**
- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C, D, E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.  
Reason:- The specific circumstances of this site warrant the Local Planning Authority having control over any further development, in accordance with policy DBE10 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2019.**
- (5) Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.  
Reason:- To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF 2019.**
- (6) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.  
Reason- In the interests of the amenities of noise sensitive properties, in accordance with policies RP5A and DBE9 of the adopted Local Plan and**

Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.

- (7) No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Reason:- The development is of a size where it is likely to result in increased surface water run-off, in accordance with policy U2B of the adopted Local Plan and Alterations 1998 & 2006, and policy T1 of the Local Plan Submission Version 2017, and the NPPF 2019.

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

Reason:- To ensure satisfactory provision and disposal of foul and surface water in the interests of public health, in accordance with the guidance contained within the National Planning Policy Framework and policy RP3 of the adopted Local Plan and Alterations.

- (9) 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, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with policies LL10 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, and policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

- (10) Hard and soft landscaping shall be implemented as shown on Richard Smallwood Associates Ltd 'existing and proposed site plan' drawing number A1/664/01A dated August 2019. and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development

of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with the guidance contained within the National Planning Policy Framework, policies CP2 and LL11 of the adopted Local Plan and Alterations, and policies DM 3 and DM 5 of the Epping Forest District Council Local Plan Submission Version 2017.

- (11) In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority. Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.
- (12) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the commencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered. Reason:- It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.
- (13) Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day. Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF 2019.

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

Reason: To help support improvements to air quality in accordance with policies T1 and DM22 of the Local Plan Submission Version 2017, and the NPPF 2019.

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

Reason: To ensure that appropriate access, parking and turning is provided.

- (16) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

#### **Original Officer Report:**

*This application is before this Committee since the Area Planning Sub-Committee East's proposed decision is to refuse planning permission, contrary to a recommendation to grant permission by the Service Director (Planning Services), for a development proposal for a site are made by or on behalf of the Council (Pursuant to Article 10 of The Constitution).*

#### **Description of Site**

Maltings Farm is a detached dwelling located within a small group of dwellings in Maltings Hill. The dwelling appears single storey from the front but was extended significantly with two storey wings at the rear at some point in the 1970's. To the right of the property are substantial outbuildings which may have originally had agricultural use, but have clearly been part of the residential curtilage for a considerable period. To the left of the property is a substantial and overgrown garden area where according to the applicant's submission there were previously two cottages. To the rear of the houses is a plot of land that was last used as a commercial cattery, with a variety of buildings, some of which are not permanent and substantial.

#### **Description of Proposal**

Planning permission is sought for the approval of reserved matters in connection with the granting of an outline planning application for the removal of existing outbuildings and an existing dwelling to be replaced with 3 detached dwellings, including a new highway access and ancillary works. The outline application was allowed on appeal following the refusal of EPF/0181/18. The reserved matters that are being sought for approval are as follows:

Access  
Appearance  
Landscaping  
Layout  
Scale

### **Relevant Site History:**

Various applications on the site however the below references are directly relevant to this application:

EPF/2140/19 - Removal of existing dwelling and outbuildings. Erection of three new detached dwellings. Formation of new highway access and ancillary works. (Withdrawn)

EPF/0181/18 - Outline planning application for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation of new highway access and ancillary works (06/04/2018) – Refuse Permission (allowed with conditions on appeal)

### **Policies Applied:**

Adopted Local Plan and Alterations 2006:

CP1 – Protecting the quality of the rural and built environment

CP3 – New Development

CP6 – Sustainable Urban Development patterns

GB2 – Development in the Green Belt

GB7A – Conspicuous Development

GB8A – Change of use or adaptation of buildings

NC4 – Protection of Established Habitats

NC5 – Promotion of nature conservation schemes

RP4 – Contaminated Land

H2A – Previously Developed Land

H9A – Lifetime Homes

U3B - Sustainable Drainage Systems

DBE1 – Design of New Buildings

DBE2 - Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE6 – Car Parking in new development

DBE8 – Private amenity space

DBE9 – Loss of Amenity

LL1 – Rural Landscape

LL7 – Planting protection and care of trees

LL10 – Adequacy of provision of landscape retention

LL11 – Landscaping Schemes

ST1 – Location of Development

ST2 – Accessibility of Development

ST4 – Road Safety

ST6 – Vehicle Parking

I1A – Planning Obligations

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in

accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 – Presumption in favour of sustainable development  
SP5 – Green Belt and District Open Land  
T1 – Sustainable Transport Choices  
DM1 - Habitat protection and Improving Biodiversity  
DM9 – High Quality Design  
DM10 – Housing Design and Quality  
DM15 – Managing and Reducing Flood Risk  
DM16 – Sustainable Drainage Systems  
DM19 – Sustainable Water Use  
DM21 – Local Environmental Impacts, Pollution and Land Contamination

### **Summary of Representations:**

No. of neighbours consulted: 11 – 4 objections received

SCOTT'S FARM – Strong Objection: overdevelopment of the site, highway safety issues.

1 MALTINGS HILL – Objection: application in direct conflict with the neighbourhood plan in respect of small homes. Out of character with the area. Contrary to road safety. Loss of privacy to neighbouring amenity. Unsustainable development.

2 LANDVIEW COTTAGES – Objection: Overdevelopment of the site, insufficient vehicular access, out of scale with surrounding area.

HILL FARM – Objection: scale of development contrary to Neighbourhood Plan.

PARISH COUNCIL – Objection: The Parish Council OBJECTS to this application on the following grounds:

- 1) Moreton Bobbingworth and the Lavers Neighbourhood Plan Policy MLBL1.1 “New open market housing developments should predominately comprise one or two bedroom houses”
- 2) Increase to size of footprint of development increased from 135% of original buildings to 165%

### **Main Issues and Considerations:**

It is important to note that as the outline application EPF/0181/18 was allowed on appeal, it is considered that the general principle of development in this location is acceptable. Therefore, this current application shall be assessed on the following criteria:

Access  
Appearance  
Landscaping  
Layout  
Scale

Access

There have been objections from neighbours that the proposal would result in an insufficient access detrimental to highway safety. There are two accesses proposed into the site; one that serves the left and central dwellings and another that serves the right dwelling. The left/central access measures at 8.5 metres at its widest and 6 metres at its narrowest. The right access measures 5.6 at its widest and 3.2 at its narrowest. Essex Highways have been consulted as part of the application and have recommended that the proposal is acceptable in relation to highway safety. This aspect of the Reserved Matters is acceptable and conforms with planning policy.

### Appearance

The proposed three dwellings are similar in character and appear of a modest design. The gabled roof forms incorporate traditionally formed dormer windows to the front and rear elevations. The external walls would be finished in a light grey coloured render, with natural black slate roof tiles utilised for the roof. The use of such materials would not be out of keeping with the surrounding area and would not be detrimental to the character of the street scene. The appearance of the proposal conforms with planning policy.

### Landscaping

The proposal includes a mixture of hard and soft landscaping, with hard landscaping found predominately to the front in the form of permeable paving and soft landscaping to the rear. Soft boundary treatments in the form of hedging and trees behind are located to the front of the site. The Council's Tree and Landscaping team have been consulted on the application and had no concerns surrounding the application. The proposal would be in accordance with local policy.

### Layout

The site's layout is linear in design and set back approximately 14 metres from the front boundary of the site. There is a 2 metre separation between the dwellings allowing views through the site. Each plot benefits from generous amenity space at the front and rear. The dwellings are located a sufficient distance away from neighbouring dwellings so as to not cause significant harm to neighbouring properties. It is considered that the layout of the site is acceptable in planning terms.

### Scale

Several objections have been raised surrounding the scale of the development. The proposed dwelling houses shall be single storey with rooms in the roof, so a relatively low scale of development. The Moreton, Bobbingworth and The Lavers Neighbourhood Plan suggests that new build houses should predominately contain 1-2 bedrooms, rather than 4 bedrooms as this scheme puts forward in each dwelling.

The outline consent previously granted was submitted with indicative plans similar in scale to this proposal. Whilst the previous plans were only indicative, the Planning Inspector made it clear within their appeal decision that *"a plan accompanying the application indicates the built form reflecting the description of development, although this is a possible rather than definitive layout and design. As the Council had regard to this indicative plan in determining the application, I have dealt with the appeal on the same basis"*.

It is considered that, since the scale of the dwellings within the site is similar to that previously considered acceptable, in this instance the proposal is acceptable as proposed. The new houses met the Nationally Prescribed Space Standards as outlined in Policy DM10 of the Epping Forest District Local Plan (Submission Version) 2017. Permitted Development

Rights can be restricted to better manage the scale of any future development on the site. On balance, the proposal is compliant with planning policy.

**Conclusion:**

The proposal is acceptable in terms of Access, Appearance, Landscaping, Layout and Scale and largely follows the indicative plan submitted and considered as part of the original outline consent. As such it is recommended that planning permission is granted subject to conditions.

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

***Planning Application Case Officer: Alastair Prince  
Direct Line Telephone Number: 01992 564462***

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