



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE EAST **Wednesday 14th February 2024**

You are invited to attend the next meeting of **Area Planning Sub-Committee East**, which will be held at:

Council Chamber - Civic Offices
on **Wednesday 14th February 2024 at 7.00 pm**

Georgina Blakemore
Chief Executive

Democratic Services Officer: V Messenger, Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members: Councillors I Hadley (Chairman), H Brady (Vice-Chairman), C Amos, R Balcombe, N Bedford, P Bolton, L Burrows, P Keska, C McCann, C McCredie, J McIvor, R Morgan, L Paine, J Philip, R Sharif, B Vaz, H Whitbread, J H Whitehouse and J M Whitehouse

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND

[This meeting will be broadcast live and recorded for repeated viewing.](#)

1. WEBCASTING INTRODUCTION

This meeting is to be webcast and the Chairman will read the following announcement:

“I would like to remind everyone present that this hybrid meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or other such use by third parties).

Therefore, by participating in this 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 any public speakers on MS Teams do not wish to have their image captured, they should ensure that their video setting throughout the meeting is turned off and set to audio only.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.

Members are reminded to activate their microphones before speaking”.

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 4 - 5)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal webpage](#) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the [Council's website](#), at the bottom under 'Contact Us'

4. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. MINUTES (Pages 6 - 7)

To confirm the minutes of the last meeting of the Sub-Committee held on 17 January 2024.

6. ANY OTHER BUSINESS

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.

7. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

8. EPF/2198/22 140, HIGH STREET, EPPING, CM16 4AG (Pages 8 - 23)

To consider the attached report for the demolition of the existing buildings on the site and the erection of 20 flats and one commercial unit with associated car and cycle parking and additional landscaping (Revised scheme to EPF/0028/22 - Dismissed at Appeal).

9. EPF/1480/23 LAND AT FYFIELD ROAD, ONGAR, CM5 0AY (Pages 24 - 43)

To consider the attached report for the development of 23 dwellings including upgraded access from Fyfield Road, associated parking, landscaping, drainage, infrastructure, new car park provision for Ongar War Memorial Medical Centre and associated development (ONG.R3 - Allocated Site In Ongar)

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):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	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, Procedure Rules of the Constitution define 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 for four years after the date of the meeting one copy of each of the documents on the list of background papers.

Agenda Item 2

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans 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. If you wish to observe meetings live you can [view the webcast](#) on the Council's website. Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

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 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**, by telephoning the number shown on the front page of the agenda. You can register to speak at the meeting either virtually via MS Teams or in person at the Civic Offices. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are generally allowed: Only one objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

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 **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices or will be admitted to the meeting virtually via MS Teams. Speakers must NOT forward the MS Teams invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your statement to: democraticservices@eppingforestdc.gov.uk

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 are available on [our website](#). Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The 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 Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is 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

Further information can be obtained from Democratic Services, email democraticservices@eppingforestdc.gov.uk

Agenda Item 5

EPPING FOREST DISTRICT COUNCIL AREA PLANNING SUB-COMMITTEE EAST MEETING MINUTES

Wednesday 17 January 2024, 7.00 pm - 8.05 pm

Council Chamber - Civic Offices

Members Present:	Councillors I Hadley (Chairman), H Brady (Vice-Chairman), C Amos, R Balcombe, N Bedford, P Bolton, P Keska, C McCann, C McCredie, J McIvor, R Morgan, R Sharif, B Vaz, J H Whitehouse and J M Whitehouse
Members Present (Virtually):	Councillors
Apologies:	Councillor(s) L Burrows, L Paine, J Philip and H Whitbread
Officers In Attendance:	James Rogers (Principal Planning Officer), Gary Woodhall (Team Manager - Democratic & Electoral Services) and Rebecca Moreton (Corporate Communications Officer)
Officers In Attendance (Virtually):	Matt Picking (Democracy & Elections Apprentice)

[A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

48 WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

49 WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

50 DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Members' Code of Conduct, Cllr C Amos declared a non-pecuniary interest in the following item of the agenda by virtue of being a member of the Theydon Bois Parish Council Planning Committee. The Councillor had determined that he would make his decision based on the evidence presented at the meeting and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0292/21 Land North of Forest Drive, Theydon Bois.

(b) Pursuant to the Council's Members' Code of Conduct, Cllr H Brady declared a non-pecuniary interest in the following item of the agenda by virtue of being acquainted with the Objector through the Tennis Club. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0292/21 Land North of Forest Drive, Theydon Bois.

(c) Pursuant to the Council's Members' Code of Conduct, Cllr J H Whitehouse declared a non-pecuniary interest in the following item of the agenda by virtue of being a member of the Campaign for the Protection of Rural England. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0292/21 Land North of Forest Drive, Theydon Bois.

51 MINUTES

Resolved:

- (1) That the minutes of the Sub-Committee held on 25 October 2023 be taken as read and signed by the Chairman as a correct record.

52 ANY OTHER BUSINESS

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

53 SITE VISITS

There were no formal site visits requested by the Sub-Committee.

54 EPF/1718/18 LAND AT MILL LANE HIGH ONGAR CM5 9RQ

This application had been withdrawn prior to the meeting and would be considered at a future meeting of the Sub-Committee.

55 EPF/0292/21 LAND NORTH OF FOREST DRIVE THEYDON BOIS CM16 7HH

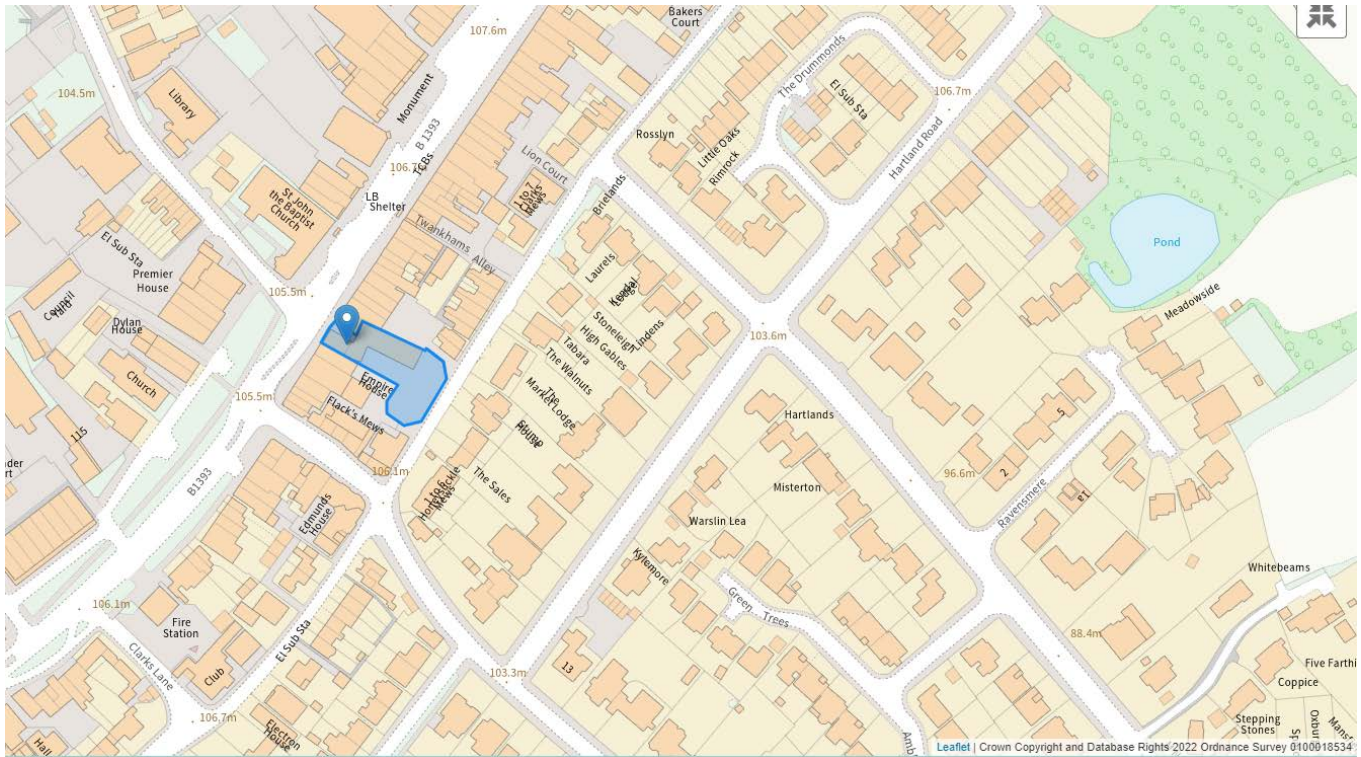
[This application was approved with conditions, of which one was revised and one added by the Sub-Committee, and subject to a Section 106 Legal Agreement.](#)

CHAIRMAN

Agenda Item 8

OFFICER REPORT

Application Ref: EPF/2198/22
Application Type: Full planning permission
Applicant: Mr Lewis Jones
Case Officer: Muhammad Rahman
Site Address: 140, High Street, Epping, CM16 4AG
Proposal: Demolition of the existing buildings on the site and the erection of 20 flats and one commercial unit with associated car and cycle parking and additional landscaping (Revised scheme to EPF/0028/22 - Dismissed at Appeal).
Ward: Epping Hemnall
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OtoK>
Recommendation: Approve with Conditions



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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).

Site and Surroundings

The application site lies on southeast side of High Street with rear frontage to northwest side of Hemnall Street. The site is vacant having last been used by Travis Perkins as a builders merchants. The

frontage building comprises a two-storey shop unit attached to an L-shaped warehouse building at the rear in the centre of the site. The rear yard was used for vehicle access and external storage.

The site lies opposite the junction with St Johns Road and is wholly within the Epping Conservation Area, the listed St Johns Church is opposite.

The area comprises a mix of built development, on the High Street generally 2 -3 storeys but the immediate adjoining building (in separate ownership) is single storey. Hemnall Street displays a greater mix, on the corner with station Road is a substantial three storey block, more modest 2 -3 storey house and flats lie opposite, and to the north-east lie more modest dwellings.

Proposal

The proposal is for the demolition of the existing buildings on the site and the erection of 20 flats (+ 8 affordable houses) and one commercial unit (Class E) with associated car and cycle parking and additional landscaping. This is a revised scheme to EPF/0028/22 which was refused and subsequently dismissed at Appeal. The main changes to the refused scheme are:

- General Layout – Removal of central section (linking all 3 buildings);
- Reduction in overall height to Mansard and Semi-Detached Building by approx. 200mm;
- Changes to car parking spaces, reduced from 19 to 8 spaces;
- Changes to private amenity spaces and windows; and
- Changes to housing mix from 13 x 1 bed & 7 x 2 bed units to 15 x 1-bed flats & 5 x 2-bed flats.

The application proposes complete redevelopment of the site to provide 20 dwellings comprising 15 x 1 bed and 5 x 2 bed units, and a ground floor shop (approx. 65.2 m²) on High Street. The development is predominantly 3 storey, on the High street the building is set back at second floor to reflect the adjoining building. At the rear, the southern portion includes a mansard building and is broken by the access before a two-storey semi-detached building.

A car park is provided at central courtyard for 8 vehicles with access from Hemnall Street. Cycle parking for 20 cycles is located in at the Ground Floor of the Mansard Building along with a communal bin store. Residential access is available from the High street, adjacent to the shop.

Relevant Planning History

EF\2021\ENQ\00591 - Pre application for a proposed redevelopment of land at 140 High Street, Epping for residential use (20 apartments), retention of Poppy's Grill takeaway & an additional element of retail/commercial use at ground floor level. The site was previously used by Travis Perkins and is a previously developed site in a highly sustainable location in Epping Town Centre - Advice Given

EPF/0028/22 - Demolition of the existing buildings on the site and the erection of 20 flats and one commercial unit with associated car and cycle parking and additional landscaping – Refused & Dismissed at Appeal

EPF/2207/22 - Demolition of the existing buildings on the site and the erection of 20 flats and one commercial unit with associated car and cycle parking and additional landscaping - Withdrawn

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main

Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following policies within the current Development Plan are considered to be of relevance to this application:

SP1	Spatial Development Strategy 2011-2033
SP2	Place Shaping
H1	Housing Mix and Accommodation Types
H2	Affordable housing
T1	Sustainable Transport Choices
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM6	Designated and Undesignated Open Spaces
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality
P1	Epping
D1	Delivery of Infrastructure
D2	Essential Facilities and Services
D4	Community, Leisure, and Cultural Facilities

National Planning Policy Framework 2023 (Framework)

Paragraph	11
Section 5	Delivering a sufficient supply of homes
Section 8	Promoting healthy and safe communities
Section 11	Making effective use of land
Paragraphs	131 & 135
Paragraph	186
Section 16	Conserving and enhancing the historic environment

Summary of Representations

Number of neighbours Consulted: 80. 4 Responses Received.

Site notice posted: Yes, including a Press advert

6 FLACKS MEWS – No objection, but concerns from construction phase

26 HEMNALL STREET, 4 THE MARKET LODGE & 6 EMPIRE HOUSE (134A HIGH STREET) – OBJECTIONS – Summarised as;

- Parking concerns/congestion;
- Overlooking;
- Loss of light; and

- Disturbance from construction phase;

EPPING TOWN COUNCIL: Committee STRONGLY OBJECT to this application.

Committee agree that these new plans have not met previous concerns and there are still issues with the proposal. Committee welcomes the redevelopment of this industrial site as it is deteriorating causing it to be an eyesore but this latest proposal is an overdevelopment.

The Committee acknowledges and agrees with objections from six neighbours to this amended application. There are two-storey and three-storey properties which borders the site and the residential part of this proposal would cause direct loss of amenity including overlooking, loss of privacy and sunlight.

Committee still agree that the development would sit much further forward than the existing buildings, create a tunnelling effect and have an overbearing and dominant effect on the street scene. Hemnall Street has a mixture of dwelling types which are characteristic of Epping and this particular development would be detrimental to the character of the surrounding area. The Committee suggest building family homes on this site as there are already a large number of one-bedroom flats being built on the nearby site on St Johns Road.

Committee agree that this new proposal does not provide sufficient parking for 20 flats and would cause a greater negative impact on the area. Eight parking spaces is far too few for the number of dwellings proposed. This issue would put additional pressure on the surrounding roads. The increased traffic resulting from the additional flats would be detrimental to highway safety, given that Hemnall Street is a very narrow road and not wide enough for additional traffic, contrary to policy ST4. Committee have also commented that Hemnall Street is already used as a cut through for traffic when the High Street gets congested.

Relevant policies: CP2 (iv), CP7, DBE1, DBE2, DBE3, DBE8, DBE9, DBE11, ST4, ST6 (Adopted Local Plan)

Emerging Local Plan: DM5 (i), DM9A, DM9F, DM9J, DM10, H1A (ii) and (iii), T1
NPPF: Para 8 (b), 9, 104, 124, 127, 132, 185

Epping Town Council confirm they will attend and speak at Plans East to object to this proposal.

Planning Considerations

The main issues for consideration under this application relate to;

- a) The impact on the character and appearance of the Conservation Area (CA);
- b) Affordable Housing;
- c) Parking Provision;
- d) Neighbouring Amenities;
- e) Standard of Accommodation for future occupiers;
- f) The impact on the Epping Forest Special Area of Conservation (SAC); and
- g) Planning Obligations.

Character and Appearance of the CA

The application follows on from pre-application advice, the previous refused scheme and an appeal decision which has resulted in alterations as set out in the beginning of the report.

In broad terms, a residential led redevelopment of the site is supported. The Councils Conservation Officer has provided the following comments below;

High Street frontage

There are no concerns regarding the proposed design which appears to respond positively to its context. At ground floor and the first floor, the development reflects the massing and proportions of adjacent properties and at second floor it steps back, in line with the building directly to the south.

Hemnal Street Frontage

The overall scale and massing of the frontage is supported. It is considered to respond well to the context and to provide a successful transition between the imposing corner office building to the south and the finer grain of the development to the north with the terrace of Victorian properties.

However, while we acknowledge that the articulation and overall appearance of the development have been simplified, we still consider that it would benefit from further amendments. As mentioned earlier in this comment, the hierarchy between the buildings on the site needs to be retained and the building still appears too formal in character. This is mainly due to the symmetry of the façade composition and the use of architectural elements with references to polite architecture.

The third paragraph relates to the Mansard Building and given that it mirrors the development opposite 1-6 Honeysuckle Mews and the additional storey granted at the corner building - Purlieu House 11 Station Road under EPF/0504/21, Officers are satisfied, on balance, with the scheme as it will not lead to a harmful effect on the character and appearance of the conservation area.

Too add, the core design reason the recent appeal decision was dismissed related to the previous central section (paragraph 14) which is no longer part of the proposal. The Councils Urban design officer has also raised no material objection to the scheme.

It is also worth noting Paragraph 32 of the appeal decision which states;

The grade II listed St Johns Church exists on the opposite side of the High Street and its setting is derived in part from the busy High Street and buildings surrounding it, of which the appeal site forms a part. The effects of the proposal on its setting are not in dispute and, notwithstanding the concerns above in terms of the ECA impacts, given the scale of the development and distance from the Church, its setting would be preserved.*

Affordable Housing

Policy H2 (Part A) states; development sites which provide for 11 or more homes or residential floorspace of more than 1000m² (combined gross internal area), the Council will require 40% of those homes to be for affordable housing and provided on site.

In accordance with the policy noted above, of the proposed 20 homes, 8 affordable homes would be delivered. As such. Officers are satisfied that this policy has been satisfied with the delivery of 8 (40%) on-site affordable housing.

This also overcomes another reason raised by the Appeals Inspector (Paragraph 27).

Parking Provision

The application proposes 8 parking spaces to serve the residential element. This reflects the highly accessible location of the site, close to services and bus services and within walking distance of the station, along with the newly built Cottis Lane car park. This is supplemented by cycle stands for 20 cycles which are shown as basic stands. Highways also note the area is well secured with parking restrictions to prevent ad-hoc parking being a safety issue as per below comment;

The parking provision is considered to be acceptable given the location. The area is well secured with parking restrictions to prevent ad-hoc on-street parking becoming a safety issue. Further to this the application is proposing to provide high quality cycle parking for all the proposed flats. The change of use will also reduce the amount of associated vehicle trips in and out of the location, to the benefit of all highway users.

Thus, the overall level of parking is considered acceptable for the location, in Officers view.

Neighbouring Amenities

In terms of neighbour amenity, there is no harm to the residents in Hemnall Street facing the site as they are sited across a public highway and the proposal is consistent with other frontage relationships in the street.

With regards to the impact on No. 30 Hemnall Street as highlighted in the Appeal Decision (Paragraphs 16 & 17), the central section is no longer present within this scheme, as such any potential overlooking impacts would now be limited to the semi-detached building, specifically unit no. 11. In officers view, it is considered the proposal would not lead to significant harmful overlooking that warrants a reason for refusal.

With regards to the impact on Empire House, the central section is no longer part of the proposal and majority of the windows proposed on the Mansard building do not directly face Empire House. As such, Officers consider there is no material harm in terms of loss of outlook, privacy, or light that warrants a reason for refusal.

No other harm is envisaged on other neighbouring amenities.

Standard of Accommodation

Policy DM10 of the LP only requires that that family housing have access to private or communal amenity space. The proposal is for 1 & 2 bed dwellings so there is no policy requirement for these to have access to external amenity space.

Nonetheless, 14 of the proposed dwellings would have access to private external amenity space and all the dwellings would meet the National Described Space Standards as set out in Policy DM10 of the LP. Whilst the remainder of the 6 units will not have access to direct amenity space, as abovementioned, there is no policy requirement and Members will note that a similar approach was taken at Purlieu House 11 Station Road for 6 flats (Approved by Members at the 13th October 2021 meeting) where no private amenity space was provided on the basis that this is not an uncommon arrangement within town centre locations. Too add, the Epping Forest and other open spaces are in close proximity to the site.

For the reasons above, Officers are satisfied that the proposal overall would provide a good level of accommodation for future users with reasonable light levels and outlook. The Appeals Inspector (Paragraph 30) also shared this view.

Epping Forest Special Area of Conservation (EFSAC)

A large part of the Epping Forest is designated as a Special Area of Conservation (EFSAC) primarily for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. As an internationally important site it is afforded the highest level of protection due to it containing habitats and species that are vulnerable or rare.

The Council, as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and in accordance with Policy DM2 of the Epping Forest District Local Plan 2011 – 2033, has a duty to ensure that plans and projects for whose consent it is

responsible will not have an adverse effect on the integrity of such designated sites either alone or in combination with other plans and projects.

The Council, through the Local Plan Habitats Regulations Assessment 2022, (the HRA 2022) has identified two main issues (known as 'Pathways of Impact') that are currently adversely affecting the health of the Epping Forest.

The first relates to recreational pressure. Surveys have demonstrated that the 75th percentile of visitors live within 6.2km (Zone of Influence) of the Epping Forest. As such new residential development within this 6.2km 'Zone of Influence' is likely to result in more people visiting the Epping Forest on a regular basis which will add to that recreational pressure.

The second issue is atmospheric pollution which is caused primarily by vehicles travelling on roads within 200m of the EFSAC which emit pollutants harmful to the EFSAC's interest features (Nitrogen Dioxide and Ammonia). Development proposals (regardless of their type, size, and location within the District) which would result in even an increase in just one additional vehicle using roads within 200m of the EFSAC has the potential to contribute to increases in atmospheric pollution within the EFSAC when taken in combination with other plans and projects.

Stage 1: Screening Assessment

This application has been screened in relation to the recreational pressures and atmospheric pollution 'Pathways of Impact' and concludes as follows:

11 The site lies within the 0 - 6.2 km Zone of Influence as identified in the adopted Local Plan and the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

1. Based on the information provided by the applicant the development would result in a net decrease in Annual Average Daily Traffic (AADT) using roads within 200m of the EFSAC. Consequently, the application proposal would not result in a likely significant effect on the integrity of the EFSAC in relation to atmospheric pollution Pathway of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is therefore a requirement for the Council to undertake an 'Appropriate Assessment' of the application proposal in relation to the recreation Pathway of Impact.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the SAMM strategy and the Epping Forest District Green Infrastructure Strategy has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the above strategies. The applicant has agreed to make a financial contribution in accordance with the Council's approach to avoidance and mitigation as set out in the above-mentioned strategies.

As such the Council, as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and in accordance with Policy DM2 of the Epping Forest District Local Plan 2011 – 2033 (whereby it has a duty to ensure that plans and projects for whose consent it is responsible) has been satisfied that the proposal would not have an adverse effect on the integrity of the EFSAC either alone or in combination with other plans and projects including the adopted Local Plan.

Planning Obligations

It is recognised that larger scale developments have potentially greater impacts on the wider environs beyond the site-specific matters considered above.

Policy D1, Part A of the LP sets out that:

a. New development must be served and supported by appropriate on and off-site infrastructure and services as identified through the Infrastructure Delivery Plan Schedules.

The Infrastructure Delivery Plan (“IDP”) forms part of the evidence base that underpins the Local Plan. The entirety of the report is published online, but part B sets out the necessary contributions for each settlement in the District and an indicative cost for their delivery.

Members will be aware that IDPs are, by their very nature, a ‘snapshot in time’ and as different infrastructure providers respond to their own unique challenges, the information that they provide will naturally date and alter over time. It therefore needs to be recognised from the outset, that the IDP should be viewed as a ‘live document’ that is subject to change.

Therefore, if any stakeholders/providers (e.g., Essex County Council) etc. recently consulted, provide confirmation of the contributions/obligation they require, we should work with their advice, as they are best placed to know their up-to-date needs.

Some of the costs may be high in relation to the size of the development and there may be provision made on site that needs to be. Contributions will therefore be subject to negotiations with the developer.

The IDP sets out the infrastructure priorities based on evidence but the level of contribution secured must be considered on a site-by-site basis and the infrastructure priorities that are required for each site.

In the event that planning permission is granted a s106 legal agreement would be required to secure the following financial contributions below.

For clarity, Officers are satisfied that the obligations below are necessary to make the development acceptable in planning terms, that they are directly related to and are fairly and reasonably related in scale and kind to the development, and so meets the tests set out in paragraph 57 of the Framework and the CIL Regulations 2010 (as amended).

For clarity, Officers are satisfied that the obligations below are necessary to make the development acceptable in planning terms, that they are directly related to and are fairly and reasonably related in scale and kind to the development, and so meets the tests set out in paragraph 57 of the Framework and the CIL Regulations 2010 (as amended).

1. 8 Affordable Homes + Review Mechanism;
2. Highway/Footway Improvements
 1. Upgrade to the B1393 High Street/ Station Road Roundabout/St Johns Road roundabout = £55,860 (£2,793 per dwelling)
 2. Pedestrian and cycle space High Street Epping = £1,680 (£84 per dwelling)
 3. Non-motorised improvements to and from Epping Tube Station = £13,960 (£698 per dwelling)
3. Education
 1. 71 Early Years Education Places = £30,280 (£1,514 per dwelling)
 1. New (2.1ha) primary school = £241,160 (£12,058 per dwelling)
 2. 2FE expansion of Secondary schools = £278,920 (£13,946 per dwelling)

4. Health

1. 580 Sqm additional GP floorspace = £48,960 (£2,448 per dwelling)

2. EEAST - Additional Medical Equipment = £6,156

5. Community Facilities

1. 40 sqm of additional space = £20,000 (£1,000 per dwelling)

6. Open Space

1. Additional provision of public parks and gardens = £89,560 (£4,478 per dwelling)

2. Additional provision of amenity greenspace = £7,300 (£365 per dwelling)

1. Additional provision for children and young people = £21,680 (£1,084 per dwelling)

7. EFSAC Mitigation (Recreation) = £37,052.60 (£1,852.63 per dwelling)

8. The Provision of public open space including a Management Plan and Details and arrangements of the Management company will be required.

9. The provisions of an Employment and Skills Plan' (ESP) seeking to drive forward an increase in construction employability levels and workforce numbers in accordance with Essex County Council Developers' Guide to Infrastructure Contribution (Revised 2020).

Total Costs = £852,568.60

Planning Balance & Conclusion

In summary, a residential led development would make effective use of this vacant land sited within a highly sustainable location. It would deliver a net gain of 20 homes including 8 affordable housing. There would be benefit to the local economy from the construction and occupation of the homes and further contributions towards local services such as education, community facilities, open space, health, and highway improvements. The proposal would relate positively to the conservation area, safeguard the living conditions of neighbouring amenities and the safety operation of the highway network.

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC and identified obligations including additional payment of monitoring fees.

If you wish to discuss the contents of this report item, please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (21)

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 in accordance with the following approved plans: 2057-LP01, 2057-E01, 2057-E02, 2057-E03, 2057-P01 Rev A3, 2057-P02 Rev A3, 2057-P03 Rev A3, 2057-P04 Rev A3, 2057-P05 Rev A3, 2057-P06 Rev A3, 2057-P07 Rev A2, and 2057-P300 Rev A2.

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

3 A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.

B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

4 Dust Monitoring

1a) For a minimum of 3 months prior to works commencing, baseline dust monitoring with a minimum of 2 real time dust monitors must be conducted. The location of the monitors must be agreed with the Local Planning Authority's Environmental Health Team prior to monitoring commencing and must not be moved unless agreed with the Local Planning Authority's Environmental Health Team. Reference should be made to IAQM's Guidance on Monitoring in the Vicinity of Demolition and Construction Sites and/or the GLA's The Control of Dust and Emissions during Construction and Demolition SPG when proposing monitoring locations.

1b) Real time dust monitoring with a minimum of 2 monitors is required for the duration of the demolition, earthworks, and construction phases of this development. Any exceedances of the

particulate threshold must be reported to the Local Planning Authority's Environmental Health Team within 1 working day of an exceedance being detected along with details of what measures have been implemented to stop any further exceedances from occurring. Should exceedances occur regularly or justified complaints from neighbouring properties regarding dust be received, regular monitoring reports may be required. The monitors must not be moved unless agreed with the Local Planning Authority's Environmental Health Team. Reference should be made to IAQM's Guidance on Monitoring in the Vicinity of Demolition and Construction Sites and/or the GLA's The Control of Dust and Emissions during Construction and Demolition SPG when establishing particulate threshold limits.

Demolition/Construction

2) Prior to demolition/construction works commencing a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This should include a risk assessment and a method statement in accordance with relevant guidance such as IAQM's assessment of dust from demolition and construction guidance and the control of dust and emissions from construction and demolition best practice guidance published by the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place. The submitted management statement shall include details of:

1. The parking for 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. Wheel washing.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
7. A scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution.
8. Dust suppression methods and kit to be used.
9. Bonfire policy.
10. Confirmation that all Non-Road Mobile Machinery (NRMM) comply with emission Stage IIIB as a minimum.
11. Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation.
12. Site plan identifying location of:
 - a. The parking for vehicles of site operatives and visitors
 - b. Loading and unloading of plant and materials
 - c. Storage of plant and materials used in constructing the development
 - d. site entrance and exit
 - e. wheel washing
 - f. hard standing
 - g. hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting)
 - h. stockpiles
 - i. dust suppression
 - j. dust monitoring
 - k. location of water supplies and

I. location of nearest neighbouring receptors

The details and measures contained in the approved construction management statement must be fully implemented to the Council's satisfaction throughout the demolition and construction period.

Reason: Noise, General Disturbance, Ground Pollution, Dust and Other Air Pollution from demolition and construction works can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. To limit the impact of the construction work on the living conditions of residents living in close proximity to the site and to help support improvements to air quality in accordance with Policies, T1, DM9, DM21 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: There is the potential of archaeological deposits within the proposed development area, which may be highly vulnerable to damage or destruction. Unless the Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 Prior to preliminary ground works taking place, 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 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.

- 7 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/boundary treatments; 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 ensure a satisfactory appearance to the development, in accordance with Policies DM3, DM5 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 8 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive 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 shall include:

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and
- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

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, DM2 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 9 Prior to their installation, full specification of the external finishes of the development hereby approved 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 Policies DM7 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 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.

- 11 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.

- 12 The proposed dwelling(s) hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households, in accordance with Policy H1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 13 Prior to the first occupation of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details.

Reason: To ensure that the development meets Secured by Design principles as required by the Essex Police, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved, and so retained.

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 the first occupation of the development the access arrangements and other associated works, 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, vehicle parking and turning is provided. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in

February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Prior to the first occupation of the development any redundant dropped kerbs along the site frontage shall be fully reinstated, including footway construction and full height kerbing as necessary.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (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. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 19 The refuse storage, as shown on the approved plan, are to be provided prior to the first occupation of the development and are to be retained as such at all times.

Reason: To ensure adequate provision is made in a suitable location, in accordance with Policies DM11 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 20 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (or any Order revoking and/or re-enacting that Order) the commercial premises shall only be used for Class E (a), (c), (d), (e) and (g)(i) and for no other purpose (including any other purpose in Class E of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the GPDO are not acceptable to the Local Planning Authority in this location in the

interests of safeguarding the neighbouring amenities, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 21 The commercial unit hereby permitted shall only be open to customers between the hours of 7am to 7pm on Mondays to Fridays, 10am - 5pm on Saturdays and Sundays inc Bank Holidays.

Reason: In order to minimise disturbance to local residents, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 22 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.

Agenda Item 9

OFFICER REPORT

Application Ref: EPF/1480/23
Application Type: Full planning permission
Applicant: Mr Tim Murphy
Case Officer: Muhammad Rahman
Site Address: Land at Fyfield Road, Ongar, CM5 0AY
Proposal: The development of 23 dwellings including upgraded access from Fyfield Road, associated parking, landscaping, drainage, infrastructure, new car park provision for Ongar War Memorial Medical Centre and associated development (ONG.R3 - Allocated Site In Ongar)

Ward: Shelley
Parish: Ongar
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WkNC>
Recommendation: Approved with Conditions (Subject to s106 Legal Agreement)



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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).

Site and Surroundings

The site comprises of undeveloped scrub/woodland. It is bounded by Fyfield Road (B184) to the East, residential development to the South including Ongar War Memorial Medical Centre and agricultural land to the West and North and is 1Ha in size.

The site is not within the Green Belt or a Conservation Area, nor are there any listed buildings on site or protected trees.

The site is allocated for residential development within the adopted Local Plan for approx. 27 dwellings (Site Ref ONG.R3).

Proposal

The development of 23 dwellings including upgraded access from Fyfield Road, associated parking, landscaping, drainage, infrastructure, new car park provision for Ongar War Memorial Medical Centre and associated development.

The proposed housing mix as set out in the Schedule of Accommodation & other supporting documents consist of;

- 2-bedroom units = 8
- 3-bedroom units = 10
- 4-bedroom units = 5

Of the 23 units, 9 would be affordable housing.

A total of 70 car parking spaces are proposed including cycle provision. This includes;

- 51 private car parking spaces;
- 6 visitor spaces; and
- 13 car parking spaces for the Ongar War Memorial Medical Centre.

A planning performance agreement was entered into to work through some of the issues.

Since the initial submission plans were amended with changes made to the housing mix and parking provision, and all parties were reconsulted on the changes.

Relevant Planning History

None.

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following policies within the current Development Plan are considered to be of relevance to this application:

SP1	Spatial Development Strategy 2011-2033
SP2	Place Shaping
H1	Housing Mix and Accommodation Types
H2	Affordable housing
T1	Sustainable Transport Choices
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
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
DM16	Sustainable Drainage Systems
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality
P4	Ongar
D1	Delivery of Infrastructure
D2	Essential Facilities and Services
D4	Community, Leisure, and Cultural Facilities

National Planning Policy Framework 2023 (Framework)

Paragraph	11
Section 5	Delivering a sufficient supply of homes
Section 8	Promoting healthy and safe communities
Section 11	Making effective use of land
Paragraphs	131 & 135
Paragraph	180

Ongar Neighbourhood Plan 2020 – 2033

ONG-RR3	Housing Mix and Standards
ONG-RR4	Broadband
ONG-ED1	Design
ONG-ED4	Sustainable Design
ONG-ED5	Natural Environment
ONG-ED6	Landscape and Amenity Buffer Zones
ONG-CT3	Transport and Movement
ONG-CT4	Infrastructure Priorities
ONG-CT5	Footpaths and Cycle Route

Summary of Representations

Number of neighbours Consulted: 99. 7 Responses Received.
Site notice posted: Yes, including a Press advert

1 LETTER OF SUPPORT

ONGAR NEIGHBOORHOOD PLAN COMMUNITY GROUP - Support

We are delighted that revisions have now been made to the original planning application.

We completely withdraw our Objection of 7th September now that the Housing Mix and Parking Provision complies with Ongar Neighbourhood Plan 2020-2033. Although not stated in the Design and Access Statement, it is also clear that this development is in character with its surroundings, as Ongar Design Guide (AECOM 2019) also details.

It is an attractive layout on a difficult site and considerations have ensured that the massing, heights and architectural features, designs and materials are sympathetic to the surroundings. In addition, the link to the public footpath to the west is welcomed. The landscape buffers between the new homes and existing dwellings should help to protect private amenity.

38 FYFIELD ROAD, 7, 10, 21, 22, & 24 ABIGAIL COURT – OBJECTIONS – Summarised as:

- Loss of Light
- Loss of Privacy
- Increased Traffic
- Greater Sense of Enclosure
- Concerns re construction phase and impact on local wildlife

ONGAR TOWN COUNCIL – Objection - Housing Mix does not provide enough larger family homes as required in Ongar and there is insufficient off-street parking for the new development. It is contrary to EFDC's Local Plan (LP) and Ongar Neighbourhood Plan (ONP) in 2 fundamental aspects of material planning concerns. It has :

1. Too few 3+ bedroomed homes (i.e. wrong housing mix). It is contrary to EFDC Policy H1 and contrary to ONP Policy ONG-RR3 Housing Mix and Standards especially Part 1, Part 2, Part 3 without justification.
2. Insufficient off-street parking for the 8 x2 bedroomed flats and insufficient off-street parking for visitors. This is contrary to (ONP) ONG-CT3 Transport and Movement especially Part 1(b); Essex Parking Standards 2009; (LP) T1. Pavements should be 3 metres wide as recommended by the police as people will park on the pavements therefore blocking access to push chairs and wheelchairs. Wider pavements would enable push chair and wheelchair access.

Planning Considerations

The main issues for consideration in this case are:

1. Have the site-specific policy requirements been satisfied with regards to;
 - i. Trees;
 - ii. Access; and
 - iii. Green Belt Boundary
1. The impact on the character and appearance of the area;
2. Affordable Housing;
3. Parking Provision;
4. Neighbouring Amenities;
5. Standard of Accommodation;
6. The impact on the Epping Forest Special Area of Conservation; and
7. Planning Obligations.

Site Specific Policy Requirements

Policy P4 of the adopted LP sets out the following site-specific requirement for this allocated site, which are;

Design (Trees)

A. Development proposals should demonstrate that they have taken into consideration the amenity provided by the existing trees and dense vegetation on the site. They should seek to minimise impacts upon and in particular the loss of trees including through sensitive layout, limiting the extent of development and through sensitive construction methods. As a minimum, development proposals should incorporate tree buffers along the Northern and Western edges of the site, focusing development to the South in order to maintain the site's rural aspect.

On-site Constraints

B. The site has potential site access constraints. Vehicular access to the site must be shared with the existing Ongar War Memorial Medical Centre to the South in order to retain adequate spacing between existing junctions on Fyfield Road to ensure safe access from the highway network.

C. There is an existing Public Right of Way to the Western boundary of the site which connects Moreton Road with the wider footpath network to the North. Development proposals should include a direct connection to this Public Right of Way from the Western boundary of the site for pedestrians to provide a walking link to Moreton Road. Development proposals should, where appropriate, enhance the Public Right of Way to meet modern requirements in terms of safety, directness, attractiveness and convenience, having regard to the needs of a wide range of users.

Green Belt Boundary

D. Existing features in the landscape to the North and West should be used as the new defensible boundary to the Green Belt. As part of the development proposals the existing feature along the Western edge of the site will need to be strengthened.

With regards to Trees and the Green Belt Boundary

Policy DM3 of the LP states that development proposals must have due regard and be sensitive to their setting in the landscape, including local distinctiveness and characteristics.

The Council's Tree Team have raised no objection to the application, subject to recommended conditions. It is evident that the development can be delivered without harming the trees.

In addition to protecting the trees, it is a policy requirement as part of the proposed allocation to provide a new, defensible Green Belt boundary on the northern/western edge of the site. The applicant intends to do this through landscaping. This is an appropriate approach given the context of the site. It is concluded that further details of this landscaping are required and this can be secured through condition.

Access

The shared access arrangements with the Medical Centre onto Fyfield Road are suitable, provide appropriate visibility splays and raise no concerns with regards to highway safety or efficiency. This position is endorsed by Essex County Council as the highway authority (subject to recommended conditions), who have commented that:

The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms it is not contrary to National and Local highway and transportation planning policy and current safety criteria. It is also noted that the site is allocated, ONG.R3, in the Epping Forest District Local Plan 2011-2033 (2023).

The Transport Statement (TS) has analysed the impact of the traffic generation, to the satisfaction of the Highway Authority, and is not considered to have a significant or severe impact at this location, or on the wider highway network. Furthermore, the existing access has appropriate visibility and geometry for the development, and the proposed access arrangements will not create an unacceptable impact on highway safety.

The parking provision for the development is considered to be acceptable, and the applicant is also providing additional parking for the medical centre, which is considered to be hugely beneficial for the locality.

Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity, or efficiency.

The proposal also includes a direct link to the existing public right of way on the western edge of the site.

For the reasons set out above, officers have no reason to come to a different conclusion and thus, the site-specific policy requirements have been satisfied.

Character and Appearance

Policy DM9 & ONG-ED1 is clear that new development proposals must achieve a high quality of design by being respectful & complementing the character and appearance of their setting and to the local distinctiveness of the area.

Whilst the proposed allocation seeks approximately 27 new dwellings on the site, the proposal is for 23. These smaller allocation sites are rightly expressed as 'approximate' numbers on smaller scale allocations in the adopted Local Plan to reflect that the number may fluctuate slightly due to site constraints. In this case, taking into account the appropriate housing mix for Ongar and other considerations, the provision of 23 homes is acceptable. Any further increase may result in harmful overdevelopment of the site and conflict with the relevant policies. In such circumstances it is concluded that the 15% reduction proposed is compliant with the proposed allocation in terms of housing numbers.

Turning to the design, the proposed new housing is appropriately spread out within the site, along with ample spacing around the buildings, so as to not amount to harmful overdevelopment of the site. The end design of the buildings are in keeping with Ongar as required by the Ongar Neighbourhood Plan and Policy DM9.

Affordable Housing

Policy H2 (Part A) states; development sites which provide for 11 or more homes or residential floorspace of more than 1000m² (combined gross internal area), the Council will require 40% of those homes to be for affordable housing and provided on site.

In accordance with the policy noted above, of the proposed 23 homes, 9 affordable homes would be delivered. As such. Officers are satisfied that this policy has been satisfied with the delivery of 9 (40%) on-site affordable housing.

Parking Provision

The proposal provides 51 private car parking spaces (2 per dwelling) and 6 visitor spaces, along with 13 spaces for the Medical Centre. As such, it is in line with the Council's adopted parking standards. No objections were raised by the Highways Officer subject to recommended conditions.

Neighbouring Amenities

Officers note the concerns raised; however, the new dwellings, in particular the flats are set away from the common boundary with the existing neighbours on Abigail Court by some 4m, and therefore will not cause substantial harm to their living conditions, in terms of loss of light, overshadowing, loss of privacy, overbearing and visual impact, that warrants a reason for refusal.

Standard of Accommodation

The proposed dwellings would have ample external amenity space and also meet the National Described Space Standards as set out in Policy DM10 of the LP. They are also well related to each other and leave reasonable gaps in between to ensure a good standard of accommodation will be provided.

Epping Forest Special Area of Conservation

A large part of the Epping Forest contains a Special Area of Conservation (EFSAC) which has been identified primarily for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. As an internationally important site it is afforded the highest level of protection due to its habitats and species that are vulnerable or rare within an international context.

The Council, as a competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and Policy DM2 of the Epping Forest District Local Plan 2011 – 2033 has a duty to ensure that plans and projects for whose consent it is responsible will not have an adverse effect on the integrity of these designated sites either alone or in-combination with other plans and projects within the adopted Local Plan.

The Council has identified two main issues (known as 'Pathways of Impact') that are currently adversely affecting the health of the Epping Forest.

The first is recreational pressure. Surveys have demonstrated that most visitors live within 6.2km (Zone of Influence) of the Epping Forest. As new residential development within 6.2km is likely to result in more people visiting the Epping Forest on a regular basis this will add to that recreational pressure.

The second issue is atmospheric pollution which is caused primarily by vehicles travelling on roads in close proximity to the Forest emitting pollutants (Nitrogen Dioxide and Ammonia). Development proposals (regardless of their type, size, and location within the District) which would result in even an increase in just one additional vehicle has the potential to contribute to increases in atmospheric pollution within the Epping Forest.

Stage 1: Screening Assessment

This application has been screened in relation to the recreational pressures and atmospheric Pathways of Impact and concludes as follows:

1. The site lies outside the 0-3km / 3-6.2 km Zone of Influence as identified in the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. Consequently, the development would not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

2. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to atmospheric pollution.

Stage 2: 'Appropriate Assessment'

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of the Air Pollution Mitigation Strategy (APMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the APMS. The applicant has agreed to make a financial contribution in accordance with the APMS. In addition, the application will be subject to planning conditions (EVCP/Broadband) to secure measures as identified in the APMS. Consequently, the Council is satisfied that the proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Planning Obligations

It is recognised that larger scale developments have potentially greater impacts on the wider environs beyond the site-specific matters considered above.

Policy D1, Part A of the LP sets out that:

1. New development must be served and supported by appropriate on and off-site infrastructure and services as identified through the Infrastructure Delivery Plan Schedules.

The Infrastructure Delivery Plan ("IDP") forms part of the evidence base that underpins the Local Plan. The entirety of the report is published online, but part B sets out the necessary contributions for each settlement in the District and an indicative cost for their delivery.

Members will be aware that IDPs are, by their very nature, a 'snapshot in time' and as different infrastructure providers respond to their own unique challenges, the information that they provide will naturally date and alter over time. It therefore needs to be recognised from the outset, that the IDP should be viewed as a 'live document' that is subject to change.

Therefore, if any stakeholders/providers (e.g., Essex County Council) etc. recently consulted, provide confirmation of the contributions/obligation they require, we should work with their advice, as they are best placed to know their up-to-date needs.

Some of the costs may be high in relation to the size of the development and there may be provision made on site that needs to be. Contributions will therefore be subject to negotiations with the developer.

The IDP sets out the infrastructure priorities based on evidence but the level of contribution secured must be considered on a site-by-site basis and the infrastructure priorities that are required for each site.

In the event that planning permission is granted a s106 legal agreement would be required to secure the following financial contributions below.

For clarity, Officers are satisfied that the obligations below are necessary to make the development acceptable in planning terms, that they are directly related to and are fairly and reasonably related in scale and kind to the development, and so meets the tests set out in paragraph 57 of the Framework and the CIL Regulations 2010 (as amended).

1. 9 Affordable Homes + Review Mechanism;
2. Highway/Footway Improvements
 1. Upgrades to Junction 2 – Talbot PH Roundabout, North Weald
 2. Upgrades to the A113 Coopers Hill/ Brentwood Road Roundabout

Total = £114,903

1. Direct footpath connection to existing Public Right of Way
2. Education
 1. 14 Early Years Education Places = £38,662
2. Primary School Expansion (Replacement of temporary accommodation within the Ongar Group) = £82,515
 1. Community Facilities
 1. 251 sqm of additional community facilities = £26,910 (£609,679 / 590 (Settlement Total) = £1,170 per dwelling)
 2. Chipping Ongar Library = £1,789.40
 2. Open Space
 1. Additional provision of public parks and gardens = £11,385 (£291,923/590 = £495 per dwelling)
 2. Additional provision of amenity greenspace = £71,277 (£1,828,577/590 = £3,099 per dwelling)
 3. Additional provision of natural and seminatural greenspace = £9,016 (£231,094/590 = £392 per dwelling)
 4. Additional provision for children and young people = £18,699 (£483,283/590 = £819 per dwelling)
 3. EFSAC Mitigation (Air Quality) = £7,705 (£335 per dwelling)
 4. The Provision of public open space including a Management Plan and Details and arrangements of the Management company will be required.
 5. The provisions of an Employment and Skills Plan' (ESP) seeking to drive forward an increase in construction employability levels and workforce numbers in accordance with Essex County Council Developers' Guide to Infrastructure Contribution (Revised 2020).

Total Costs = £382,861.40

Each of these contributions have been derived from objective evidence through the Local Plan making process. This site is a proposed allocation and therefore it is clear that it will need to appropriately contribute to the delivery of infrastructure set out above.

Other Considerations

Officers note the concerns regarding local wildlife; however, this is a matter to be assessed in detail at the approval of conditions stage.

Planning Balance and Conclusion

In summary, the proposal satisfies the site-specific policy requirements; will relate positively to the locality, safeguard the living conditions of neighbouring properties, the safety operation of the highway network, and trees, and also provide a good level of accommodation for future users. There would also

be benefit to the local economy from the construction and occupation of the homes and further contributions towards local services such as early years education provision, primary school education provision, and open space and additional parking spaces serving the Ongar War Memorial Medical Centre.

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC and identified obligations including additional payment of monitoring fees.

If you wish to discuss the contents of this report item, please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (27)

- 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 in accordance with the following approved plans:

Existing Site Location Plan 110
Proposed Masterplan 100 Rev G
Proposed Masterplan (COLOURED) 100 Rev G
Parking Layout 200 Rev C
Storey Heights 201 Rev C
Boundary Treatment 202 Rev C
Materials Plan 203 Rev C
Garden Depths 204 Rev C
Refuse Strategy 205 Rev C
Housing Tenure Plan 206 Rev C
Housetype Distribution Plan 207 Rev C
Land Uses Plan 208 Rev C
Proposed Street Scenes 300 Rev B
Housetype A Plans 400 Rev C
Housetype A Elevations 405 Rev C
Housetype B Plans 410 Rev B
Housetype B Elevations 415 Rev C
Housetype C Plans 420 Rev A
Housetype C BAY Plans 421
Housetype C Elevations 425 Rev A
Housetype C BAY Elevations 426
Housetype D Plans 430 Rev A
Housetype D Elevations 435 Rev A
Flat Type Plans 440 Rev A

Flat Type Elevations 445 Rev A
Double Garage 450
Single Garage 451 Rev A
Bin and Cycle Store to Flats 460 Rev A
Housetype E Plans 470 Rev A
Housetype E Elevations 475 Rev A

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

- 3 A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.

B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 Dust Monitoring

1a) For a minimum of 3 months prior to works commencing, baseline dust monitoring with a minimum of 2 real time dust monitors must be conducted. The location of the monitors must be agreed with the Local Planning Authority's Environmental Health Team prior to monitoring commencing and must not be moved unless agreed with the Local Planning Authority's Environmental Health Team. Reference should be made to IAQM's Guidance on Monitoring in the Vicinity of Demolition and Construction Sites and/or the GLA's The Control of Dust and Emissions during Construction and Demolition SPG when proposing monitoring locations.

1b) Real time dust monitoring with a minimum of 2 monitors is required for the duration of the demolition, earthworks, and construction phases of this development. Any exceedances of the particulate threshold must be reported to the Local Planning Authority's Environmental Health Team within 1 working day of an exceedance being detected along with details of what measures have been implemented to stop any further exceedances from occurring. Should exceedances occur regularly or justified complaints from neighbouring properties regarding dust be received, regular monitoring reports may be required. The monitors must not be moved unless agreed with the Local Planning Authority's Environmental Health Team. Reference should be made to IAQM's Guidance on Monitoring in the Vicinity of Demolition and Construction Sites and/or the GLA's The Control of Dust and Emissions during Construction and Demolition SPG when establishing particulate threshold limits.

Demolition/Construction

2) Prior to demolition/construction works commencing a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This should include a risk assessment and a method statement in accordance with relevant guidance such as IAQM's assessment of dust from demolition and construction guidance and the control of dust and emissions from construction and demolition best practice guidance published by the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place. The submitted management statement shall include details of:

1. The parking for 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. Wheel washing.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
7. A scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution.
8. Dust suppression methods and kit to be used.
9. Bonfire policy.
10. Confirmation that all Non-Road Mobile Machinery (NRMM) comply with emission Stage IIIB as a minimum.
11. Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation.
12. Site plan identifying location of:
 - a. The parking for vehicles of site operatives and visitors

- b. Loading and unloading of plant and materials
- c. Storage of plant and materials used in constructing the development
- d. site entrance and exit
- e. wheel washing
- f. hard standing
- g. hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting)
- h. stockpiles
- i. dust suppression
- j. dust monitoring
- k. location of water supplies and
- l. location of nearest neighbouring receptors

The details and measures contained in the approved construction management statement must be fully implemented to the Council's satisfaction throughout the demolition and construction period.

Reason: Noise, General Disturbance, Ground Pollution, Dust and Other Air Pollution from demolition and construction works can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. To limit the impact of the construction work on the living conditions of residents living in close proximity to the site and to help support improvements to air quality in accordance with Policies, T1, DM9, DM21 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 Prior to the commencement of the development, A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Non-licenced method statement for Great Crested Newt and reptiles.
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication.
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), Policies DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: There is the potential of archaeological deposits within the proposed development area, which may be highly vulnerable to damage or destruction. Unless the Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 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.

- 8 Prior to preliminary ground works taking place, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 9 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.

- 10 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive 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 shall include:

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and
- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

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, DM2 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 11 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.

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.

- 12 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 1.4 l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 40% climate change.

The mitigation measures shall be fully implemented prior to first occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with Policy DM15 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 13 Prior to first occupation 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 on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk, in accordance with Policy DM15 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 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.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.in accordance with Policy DM15 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 Prior to first occupation of the development, All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Cherryfield Ecology, August 2022) and the Full Common Reptile Survey (Cherryfield Ecology, October 2022).

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Prior to first occupation, A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species), Policies DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 17 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.

- 18 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.

- 19 The proposed dwelling(s) hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households, in accordance with Policy H1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 20 Prior to first occupation of the dwellings (excluding the flats) hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum Pilkington privacy level 3 obscurity (or equivalent), and no part of that/those window[s] 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 at these specifications 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 occupation of the development the vehicle/pedestrian access arrangements and other associated works, vehicle parking, footpaths and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking, footpaths and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate access, vehicle parking, footpaths and turning is provided. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 22 Prior to the first occupation of the development the cycle parking, including the sheds in the rear gardens, as indicated on the approved plans, shall be provided and retained as such for the life of the development.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 23 Prior to the first occupation of the development the refuse storage, as indicated on the approved plans, shall be provided and retained as such for the life of the development.

Reason: To ensure adequate provision is made in a suitable location, in accordance with Policies DM11 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 24 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. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 25 Prior to the first occupation of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details.

Reason: To ensure that the development meets Secured by Design principles as required by the Essex Police, 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.

- 27 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.

Informatives: (4)

- 28 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.
- 29
- i. The above requirements should be imposed by way of negative planning conditions or a planning obligation.
 - ii. The Stage 1 Road Safety Audit and designer's response is noted and accepted.
 - iii. There shall be no discharge of surface water onto the Highway from the site.
 - iv. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

v. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

vi. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

- 30 Works are proposed to or within eight metres of an open or piped watercourse therefore Land Drainage consent is required. Please add Land Drainage Note 2. For further information on the Land Drainage consent process or to find the application forms the applicant should visit the link below.

<https://www.eppingforestdc.gov.uk/environment/land-drainage-consent/>

- 31 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.