



EFDC



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Application Number:	EPF/1713/20
Site Name:	12-14 Brickfield Road Coopersale Epping CM16 7QX

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OFFICER REPORT

Application Ref: EPF/1713/20
Application Type: Full planning permission
Applicant: The Chisenhale-Marsh Estates Company
Case Officer: Cuma Ahmet
Site Address: 12-14 Brickfield Road
Coopersale
Epping
CM16 7QX

Proposal: Proposed demolition of existing two dwellings and associated structures and redevelopment to provide four new dwellings, associated gardens and infrastructure.

Ward: Epping Hemnall
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nvml>
Recommendation: Approve with Conditions

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, supported by 9 local residents (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site

The application site comprises a pair of semi-detached cottages located on the south side of Brickfield Road in Coopersale. The pair of cottages date back to the early 20th Century and are built in a traditional vernacular comprising part brick and rendered facades, timber sash windows and plain tiled roofs. Each cottage accommodates off-street parking.

The surrounding area is predominantly residential in character with the addition of Coopersale and Theydon Garnon Primary School (including its playing field/grounds). The architectural styles and materials of residential properties is mixed.

The application site and its buildings are neither statutorily or locally listed nor designated within a Conservation Area.

This application is part of the backlog of applications that have been held in abeyance due to the EFSAC.

Description of Proposal

The planning application has been amended on one previous occasion at the request of planning officers.

The amended proposals seek planning permission to demolish and replace the existing pair of cottages with two pairs of semi-detached dwellings. A typical dwelling would measure approximate dimensions of 8m in height, 5.3m width and 9.2 metres in depth. The proposed development is finished in brick and render with plain tiled roofs. The frontage to the properties would be paved to accommodate 2 vehicles per dwelling (8 spaces in total). The rear gardens will be laid to grass with a mix of 1.8m high fencing and hedging to all boundaries.

Relevant History

No relevant planning history.

Development Plan

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

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

CP1 - Achieving Sustainable Development Objectives
CP3 - New Development
CP5 - Sustainable Building
CP6 - Achieving Sustainable Urban Development Patterns
CP7 - Urban Form and Quality
CP9 - Sustainable Transport
NC1 - SPAs, SACs and SSSIs
NC4 - Protection of Established Habitat
H2A - Previously Developed Land
H3A - Housing Density
H4A - Dwelling Mix
H9A - Lifetime Homes
DBE1 - Design of New Buildings
DBE2 - Effect of Neighboring Properties
DBE3 - Design in Urban Areas
DBE6 - Car parking in new development
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
DBE11- Sub-Division of Properties
LL7 - Planting, Protection and Care of Trees
LL10 - Adequacy of Provision for Landscape Retention
LL11 - Landscape Schemes
ST1 - Location of Development
ST4 - Road Safety
ST6 - Vehicle Parking
I1A - Planning Obligations
U2A - Development in Flood Risk Areas
U2B - Flood Risk Assessment Zones
U3B - Sustainable Drainage Systems

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight being afforded by your officers in this particular case indicated:

SP1 - Presumption in Favour of Sustainable Development
 SP2 - Spatial Development Strategy 2011-2033
 SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
 H1 - Housing Mix and Accommodation Types
 T1 - Sustainable Transport Choices
 DM1 - Habitat Protection and Improving Biodiversity
 DM2 - Epping Forest SAC and the Lee Valley SPA
 DM3 - Landscape Character, Ancient Landscapes and Geodiversity
 DM7 - Heritage Assets
 DM9 - High Quality Design
 DM10 - Housing Design and Quality
 DM11 - Waste Recycling Facilities on New Development
 DM15 - Managing and Reducing Flood Risk
 DM16 - Sustainable Drainage Systems
 DM18 - On Site Management of Waste Water and Water Supply
 DM19 - Sustainable Water Use
 DM21 - Local Environmental Impacts, Pollution and Land Contamination
 DM22 - Air Quality
 D1 - Delivery of Infrastructure
 D3 - Utilities

National Planning Policy Framework (July 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Summary of Representations & Technical Consultation Responses

12 neighbours were consulted of which 9 objections have been received to date raising the following concerns:

- On-street parking availability is currently oversubscribed;
- Safety of children during drop-off/pick-up will be made worse by additional/increased on-street parking;
- Overdevelopment of site; and
- Existing properties should be retained and refurbished.

Epping Society: Objects on grounds that the replacement of a pair of characterful cottages with a block of bleak and dull ones is unacceptable including the impact on the amenity of the streetscene in respect to the proposed solid row of parking to the front of proposals.

Epping Town Council: Objects on grounds that the existing buildings contribute to local distinctiveness and should be preserved. They also advise that they will attend committee to make their objections.

EFDC Trees and Landscaping: No objections subject to tree protection and details of hard and soft landscaping conditions.

EFDC Land Contamination: No objections subject to a planning condition to address any unexpected contamination that may not have been identified in the Phase 1 desktop study.

EFDC Land Drainage: No objection subject to planning condition requirement agreement of a surface water drainage strategy.

EFDC Conservation: Objects to the loss of the existing properties upon grounds that they could be regarded as a potential non-designated heritage asset and also cites that adequate justification has not been made to overcome this concern.

Essex County Place Services: No objections subject to inclusion of planning conditions to secure recommended biodiversity/ecological enhancement measures before commencement and financial contributions towards mitigating impacts on EFSAC.

Essex County Council Highways: No objections subject to planning conditions to secure reinstatement of kerbing and footway prior to occupation of dwellings and restrictions on use of unbound materials for driveways.

Issues and Considerations

The main issues to consider are as follows:

1. Principle of redevelopment to provide 4 new dwellings;
2. Layout, design and appearance;
3. Neighbouring amenities;
4. Land contamination, flood risk and biodiversity;
5. Highways and parking; and
6. Impacts on Epping Forest Special Area of Conservation (EFSAC).

Principle of redevelopment to provide 4 new dwellings

The application site comprises previously developed land within the boundaries of an existing settlement (Coopersale) and therefore in principle could be suitable for redevelopment subject to satisfying all other relevant policies of the adopted and emerging Local Plans.

Members will also have noted the objection from the Council's Senior Conservation Officer (SCO) (vis-à-vis Epping Town Council and Epping Society) which advises that the existing pair of cottages could be regarded as non-designated heritage assets (NDHA), and given the inadequate justification for the loss and impact on the streetscene, the proposed redevelopment should be resisted.

Paragraph 203 of the NPPF is specifically relevant and states in this instance that “*the effect of applications on the significance of a NDHA should be taken into account in determining the application...and....a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*”

With regard to the architectural and historic significance of the pair of cottages to be demolished, and their potential eligibility for inclusion on the Council’s Local List, part (a) must be satisfied and either parts (b) or (c) of the following published criteria.

(a) authenticity – buildings should be recognisably of their time, or of a phase in their history. If they have been unsympathetically altered, the change should be easily reversible. A building which is substantially unaltered, or retains the majority of its original features, qualifies under this criterion.

(b) architectural, local or townscape significance – the building must be a good example of a particular local building type or style, or display good quality local craftsmanship and detailing.

(c) historical significance – the building should display physical evidence of periods of local economic, technical or social significance, well-known local people or historic events.

The SCO indicates that the existing buildings could satisfy parts (a) and (b) of the criterion on the basis that:

- The pair of cottages remain mostly unaltered and that any noticeable changes that have occurred can be easily reversed; and
- The presence of a similar pair of cottages down the road at Nos.3 and 4 Brickfield Road reinforces the townscape.

Officers are sympathetic to the fact the existing pair of cottages could be eligible for local listing, although the following considerations are equally relevant and must be equally weighed against the potential harm that may be caused by their loss. These are:

- The SCO states that these “*could be regarded as non-designated heritage assets*”, which is far from definitive. Furthermore, original comments were received in November 2020 and, whilst the same objection was raised at this time, during this time the properties have not been added to the Local List.
- The amended external design includes clear references to the architectural forms/features of the existing pair of cottages.
- The proposals would secure a net addition of 2 dwellings on previously developed land; and
- The dwellings would be constructed to higher energy efficiency standards which in turn minimises their carbon footprint,

Members will be aware that even if a local listing were to succeed, this would not prohibit any future redevelopment of the site and/or indeed its demolition (subject to obtaining the relevant approvals) under the regulations.

Therefore, on balance of the above reasons given, it is considered that the principle of redeveloping the site to provide 4 new dwellings is acceptable. Accordingly, the proposals comply with Policies CP1, CP3, CP5 and CP6 of the Adopted Local Plan and Alterations (2006); Policies SP1 and SP2 of the emerging Submission Version Local Plan (2017) and the National Planning Framework which advocates the presumption in favour of sustainable development.

Layout, design and appearance

The proposed development would be set back further into the site to follow the established building line of its nearest neighbours at Nos.8 and 8a Brickfield Road. The combination of setting back the buildings, scale and separation between the pairs would adequately respect the existing pattern of development in the area as well as maintain the streetscene.

The proposed internal accommodation is suitably arranged and would comply with the national prescribed space standards for 2-bedroom dwellings. Adequately sized garden amenity for each dwelling would also be provided.

In terms of external appearance and materials, the buildings would incorporate part brick and render finished elevations (similar to the existing pair of cottages) and similar proportioned window openings with brown plain roof tiles. Features that have been reincorporated as part of the requested amendments to improve the quality of the external design include part pitched roofs and porchways. Officers consider that the proposals (as amended) are well designed and would enhance the quality and character of residential development in the area.

Whilst a proposed landscape strategy plan has been provided it will need to be updated to be consistent with the amended layout. Therefore, details of hard and soft landscaping and tree protection during works are included as planning conditions in the event planning permission is given.

Overall the quality of design and appearance of the proposed development is acceptable and therefore would comply with the requirements of Policies DBE1, DBE3 and DBE5 of the Adopted Local Plan and Alterations (2006) and Policies DM 9 and DM 10 of the emerging Submission Version Local Plan (2017).

Neighbouring amenities

The nearest neighbours are Nos.8 and 8a Brickfield Road, sited to the east. The mutual siting and separation would ensure that existing and future amenities are not adversely impacted.

The impact on existing residential amenities is therefore acceptable and comply with Policy DBE9 of the Adopted Local Plan and Alterations (2006) and Policy DM 9 of the emerging Submission Version Local Plan (2017).

Land contamination, flood risk and biodiversity

In terms of flooding and contamination risks the Council's respective technical teams do not object to the proposals in principle subject to appropriate planning conditions being included.

The applicant's Preliminary Ecological Appraisal recommends further surveys for protected species prior to development in respect of bats. In addition to this, it advises precautionary measures for birds and hedgehogs are observed. Additional biodiversity enhancements have also been recommended, e.g. site boundary vegetation retained and enhanced to create corridors and shelter for wildlife; bird and bat boxes and the incorporation of native landscaping. These bat survey and recommended enhancements can be secured by planning conditions should planning permission be given.

Overall, subject to the inclusion of the aforementioned planning conditions, the impact of the proposals on surface water flooding, human health risks and biodiversity is acceptable and would comply with Policies U2B and U3B and NC4 of the Adopted Local Plan and Alterations (2006) and Policies DM1, DM15, DM16 and DM21 of the Submission Version Local Plan (2017).

Highways and parking

The application provides 8 parking spaces in total of which 2 spaces will be assigned to each property. The quantum and minimum parking bay specifications complies with the requirements of the Essex Parking Standards (2009). The requirement to install a larger crossover to facilitate off-street parking is supported by ECC Highways subject to conditions relating to reinstatement of the kerbing and footways.

Third party objections in relation to potential road congestion and road safety as a result of this development, particularly at peak times during the school term and parking by users of the local cricket club are acknowledged. However, there is limited evidence to suggest the proposed development would

exacerbate the current circumstances, particularly as it would accommodate all its parking demands/needs off-street.

Accordingly, the impact of the proposals on highways and parking are acceptable and therefore comply with policy ST6 of the adopted local plan (2008) and policy T 1 of the emerging SVLP (2017).

Impacts on Epping Forest Special Area of Conservation (EFSAC)

Screening Assessment

The site lies within the 3km - 6.2 km Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications.

As of April 2022, the Partnership Agreement between neighbouring competent authorities formally replaced the Interim Approach and further set out updates to the Site Access Management and Monitoring Strategy (SAMM) to ensure that financial contributions can be collected and spent in accordance with purposes it has been secured. Notwithstanding, this development is considered to result in likely significant effects on the integrity of the EFSAC as a result of recreational pressures.

The development has also 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 both the recreational pressures and 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 both the recreational pressures and atmospheric pollution Pathways of Impact.

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 Interim Approach, 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 latest SAMM Strategy and in doing so would require the applicant to make financial contributions towards mitigating the effects of the proposed development. Within this strategic context the Council is satisfied that the application proposal would not, as a result, have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation to secure financial contributions.

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 an Interim Air Pollution Mitigation Strategy (IAPMS), 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 IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS such as electric car charging infrastructure and enabling home working. Consequently, the Council is satisfied that the application 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.

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Conclusion

This application proposals provide a well-designed residential scheme that makes good use of an existing urban site. Concerns relating to the loss of a potential non designated heritage asset are considered on balance to be outweighed by other planning benefits of the scheme. The proposed design in terms of its layout and appearance including its relationship with neighbouring buildings is acceptable as are the impacts on neighbouring amenities. The proposed development will not cause harm to highway safety and the level of parking is also acceptable. Accordingly, it is recommended that planning permission is granted subject to planning conditions and a Section 106 Agreement to secure the relevant recreation and air pollution mitigations in respect of minimising the impacts on the Epping Forest SAC.

For the reasons outlined above this proposal complies with the relevant policies under both the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006), the Epping Forest Local Plan Submission Version 2017 as well as guidance contained in the NPPF.

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

Planning Application Case Officer: Cuma Ahmet or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Conditions: (15)

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

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

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

FYU 2 P1B_2
FYU 2 P1B_4
FYU 2 P1B_5
FYU 2 P1B_6
FYU 2 P1B_7
FYU 2 P1B_8

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

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

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 [+ DBE4 when located in the Green Belt] of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 Prior to first occupation of the development hereby permitted a plan indicating the position, design, materials and type of boundary treatment to be erected, shall have been submitted to and approved by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the occupation of the development and thereafter permanently retained.

Reason: To ensure the safe movement of vehicles between the highway and off-street parking areas and to ensure a satisfactory appearance of the development, in accordance with Policies ST4 & DBE1 of the adopted Local Plan and Alterations 1998 & 2006, Policies T1 & DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 5 Notwithstanding the landscape strategy details submitted, 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 the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 6 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement reports unless the Local Planning Authority gives prior written approval to any alterations. Tree

protection shall be installed as shown on Hayden's Arboricultural Consultants drawing number 8077-D-AIA rev A dated 20th April 2020.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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 policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Local Plan Submission Version 2017, and the NPPF.

- 8 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped and an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

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

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

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies T1 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

11 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

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 policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

12 Prior to above ground works, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (James Blake Associates Ltd, April 2020) and Bat Emergence Survey (James Blake Associates Ltd, July 2020), as already submitted with the planning application and agreed in principle with the Local Planning Authority .

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 Local Plan Submission Version 2017, and the NPPF.

13 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 07:30 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 and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

- 14 Prior to the first occupation of the development any redundant dropped kerbs shall be fully reinstated, including footway construction and full height kerbing.

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.

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

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

Informatives: (3)

- 16 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.
- 17 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 or by post to:
SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.
- 18 This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.