

OFFICER REPORT

Application Ref: EPF/2578/22
Application Type: Full planning permission
Applicant:
Case Officer: Alastair Prince
Site Address: Homes Farm, Mount Road, Theydon Garnon, Epping, CM16 7PH
Proposal: Change of use of five existing agricultural buildings to commercial uses E(g)(iii) and B8 with access, landscaping, and other associated works.
Ward: Passingford
Parish: Theydon Garnon
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Ue2i>
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 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site consists of five agricultural buildings of varying appearance and scales with associated hardstanding located on the northern side of Mount Road in the rural location of Theydon Mount. There are no Listed Building attributed to the site, nor is the site located within a Conservation Area. The site is wholly within the Metropolitan Green Belt.

Description of Proposal:

Change of use of five existing agricultural buildings to commercial uses E(g)(iii) and B8 with access, landscaping, and other associated works.

Relevant Site History:

EPF/2801/20 – application to determine if Prior Approval is required for a proposed agricultural storage barn – Prior Approval not required.
EPF/2670/18 – Erection of a steel portal framed agricultural building to house farm machinery and produce from the farm – Approved
EPF/2056/17 – Concrete hardstanding to form farm yard between two existing agricultural buildings – approved
EPF/1873/12 – Erection of agricultural lean-to off an existing grain store – Approved.
EPF/1691/05 – Erection of general purpose agricultural building for hay and storage - Approved
EPF/1032/91 – General purpose agricultural building – Approved
EPO/0316A/71 – Details of Covered yard and grain store – Approved
EPO/0316/71 – Outline Application for 2 general purpose Agricultural buildings – Approved
EPF/0471/59 – Dutch Barn and Lean-to – Approved

Policies Applied:

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.

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 relevant policies are outlined below:

SP1 – Spatial Development Strategy
SP6 – Green Belt and District Open Land
T1 – Sustainable Transport Choices
DM1 – Habitat Protection and Improving Biodiversity
DM4 – Green Belt
DM9 – High Quality Design
DM15 – Managing and Reducing Flood Risk
DM16 – Sustainable Drainage Systems
DM21 – Local Environmental Impacts, Pollution and Land Contamination
DM22 – Air Quality

Summary of Representation:

No. of neighbours consulted: 4, 5 objections received

SAWKINS FARM – OBJECTION: Development detrimental to highway safety, inappropriate development within the green belt.

NORTH LODGE – OBJECTION: Development detrimental to highway safety, inappropriate development within the green belt.

42 BRICKFIELD COTTAGE – COMMENT: Development detrimental to highway safety.

20 HILL HALL – OBJECTION: Development detrimental to highway safety.

HIGH WARREN – OBJECTION: Development detrimental to highway safety.

BLEACHETS – OBJECTION: Development detrimental to highway safety.

THEYDON MOUNT PARISH COUNCIL - OBJECTION:

The application site is situated approximately a quarter of a mile from the TMPC boundaries in Mount Road and adjacent to Banks Lane.

The most important issue currently facing TMPC is the problem of the volume and speed of traffic driving through the parish together with the size of vehicles using Mount Road, Epping Lane and Banks Lane. During the course of last year TMPC has been involved with lobbying the County Council representatives and Highways Essex in attempts to introduce traffic calming measures within the parish.

Numerous residents in the parish have raised serious concerns about the prospect of increased traffic movements which will arise if consent to the development is granted.

TMPC objects on the following grounds :-

1. The council takes the view that in the absence of satisfactory public transport to the site, the development will have an unacceptable impact on surrounding roads and in particular the roads referred to above which in several places do not provide sufficient width for two vehicles to pass one another and also contain sharp bends and dangerous junctions which, in stark contrast with the submissions contained in the applicant's Transport Statement, have seen a significant number of road traffic accidents over the years and in particular in recent months.

The Transport Statement appears to have been compiled during a period when covid pandemic restrictions were in place and therefore does not take full account of normal levels of traffic movement. Local residents report large volumes of traffic, particularly at the beginning and end of the working day. In this respect it is noted that the applicant proposes 35 parking spaces, presumably for employees and visitors to the site. In addition deliveries will presumably be made to the site, together creating significantly more site related journeys than are provided for in the application. It is also noted by local residents that a significant proportion of commercial vehicles currently emanate from Romford and the London Borough of Havering generally. There is no reference in the traffic studies to such destinations when anticipating future traffic movements.

2. It is not accepted that the applicant's Travel Plan provides realistic sustainable travel to the site. The existing road network through Theydon Mount is entirely inadequate for access for pedestrians or cyclists as indicated above. Similarly, the road network between the site and Epping provides no safe or viable means of access other than for vehicles. There are no pathways or wide verges enabling pedestrian use and it is unrealistic to anticipate access by cyclists where the roads are narrow, the traffic is fast moving and there is no provision for a cycle lane or similar infrastructure.

On the basis of the above two representations, TMPC does not accept that the application complies with the relevant requirements of the NPPF.

In addition to the above points TMPC note that additional outdoor storage is proposed in the development. TMPC is concerned that these will further impact on the rural nature of the site. Furthermore reference is made in the application to the screening of the site but it is noted that a significant amount of screening vegetation has been removed from the property.

TMPC therefore urges the refusal of the application but if the planning authority is minded to grant permission TMPC would urge that various conditions be imposed including the following :-

1. Traffic restrictions to be imposed in order to prevent or restrict commercial traffic using Mount Road (in an easterly direction) and Banks Lane.
2. The entrance to the site to be retained in its present location to avoid the risk of further accidents at the junction of Mount Road and Banks Lane as a result of making the entrance closer to Banks Lane.
3. The applicants be required to take steps to make access to and from Epping sustainable. (eg cycle lanes, accessible footpaths etc). Our suggestion would be for a safe cyclepath/walkway to be laid the other side of the hedge. The unique position is that the applicant owns all the farmland between Hornes farm and Epping along Mount/Epping road, so this would be a Section 106 agreement that would be easily carried out. The developer says that there will be 21 cycle bays/racks so this would enable workers to travel from and into Epping in complete safety. It would also provide a safe connection for local people wishing to walk and cycle who would otherwise be further cut off from Epping due to the increased volume of traffic if this application is passed. The travel plan then would become more sustainable.
4. Full, appropriate screening of the site to be reinstated and improved. to hide the proposed refurbished buildings and proposed 35 vehicles.
5. Outdoor storage should not be permitted as this would have a detrimental effect on the openness of the Green Belt.

Main Issues and Considerations:

The main issues to consider for the assessment of the application are as follows:

Development within the Green Belt

Highway Safety
Trees and Landscaping
Ecology and Biodiversity
Contaminated Land
Land Drainage
Impact on the Epping Forest SAC

Green Belt

Neighbours and the Parish Council have objected to the proposal stating that the development would be detrimental to the character and openness of the Metropolitan Green Belt.

The site lies within the Metropolitan Green Belt. The National Planning Policy Framework (2021) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated which clearly outweigh this harm. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt. These include:

- (i) mineral extraction;
- (ii) engineering operations;
- (iii) local transport infrastructure that can demonstrate a requirement for a Green Belt location;
- (iv) the re-use of buildings provided that the buildings are of a permanent and substantial construction; and
- (v) development brought forward under a Community Right to Build Order.

The NPPF also emphasises that when considering an application, a Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

The proposed change of use would involve the recladding of the buildings to replace asbestos cladding. A structural survey accompanies the application, stating the buildings are of a permanent and substantial construction and appear to be able to support the proposed change of use. As such the use of the buildings for commercial purposes would not introduce any undue urbanisation or residential paraphernalia that would significantly harm the Green Belt. Furthermore, farm diversification and the re-use of buildings is to be encouraged to introduce alternative uses and income to the local economy where appropriate and ensuring that no additional built form is provided within the Green Belt. As such the proposal would not constitute inappropriate development harmful to the openness of purposes of the Green Belt.

The Parish Council have asserted that open storage would be proposed as part of the development. Whilst there would be storage proposed between buildings 1 and 2 as shown on the proposed site plan, this would clearly be defined and contained within this space which can be adequately managed by condition so as to restrict harm to the openness of the Green Belt. It is considered that the scheme is in accordance with Local Plan policy in respect of Green Belt Development.

Highway Safety

Neighbours and the Parish Council have objected to the proposal stating that the development would be detrimental to highway safety.

Essex Highways were consulted on the application and have provided the following comments:

The applicant has submitted a Transport Statement (TS) that contains traffic data collected in May 2021, that was during a period when traffic flows were much reduced compared to normal levels due to travel restrictions and the effects of Coronavirus. ECC were not accepting any traffic volume data at that time as the flows are not representative of a typical working day.

Whilst ECC would not agree to the flows as recorded, it is not critical to the assessment of the application, as the actual traffic generated by the proposal is minimal in the peak hours, and the percentage impact of the development would decrease if the day-to-day flows increased. Therefore, the Highway Authority considers that the development will not be detrimental to highway capacity or efficiency at this location.

It should be noted that ECC did accept speed data collection through this time period, as it was likely to be slightly higher than normal, and therefore robust. Further to this, the relocated access has appropriate visibility for the speed of the road and the proposed use.

The parking levels on the site are also considered to be acceptable. If any overspill of parking did occur, it would be contained on-site and not cause any highway safety issues.

Consequently, the Highway Authority is satisfied that the impact of the proposal will not be detrimental to highway safety, capacity, or efficiency at this location or on the surrounding highway network.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

Officers are in agreement with the comments provided by Essex Highways and consider the development is acceptable in respect to highway safety and Local Plan Policy.

Trees and Landscaping

The Council's trees and landscaping team have been consulted on the application and have suggested within their comments that replacement planting should be expected following the removal of deceased

trees. Details of landscaping has also been requested, particularly specifying that native planting of trees and hedges should be provided. This is information that can be adequately provided via condition.

Ecology and Biodiversity

The application has been accompanied by a preliminary ecological assessment to identify if there is any potential presence of any protected/notable species or habitats on or adjacent to the site. The site does not fall within the proximity that would result in harm to statutory and non-statutory designated wildlife sites.

The proposal includes mitigation measures to retain and enhance current levels of biodiversity on the site. This includes protection and retention of woodland during development works and providing a buffer of 2 metres, which would be enhanced to include wildlife corridors and sheltering/foraging areas for local wildlife. This would also be reflected in landscaping measures to comprise of native species, which would provide benefits for local wildlife.

In addition, the assessment recommends that further protected species surveys are undertaken prior to development in relation to bats, as well as a badger survey prior to the removal of any vegetation. This would be required prior to the commencement of development. Mitigation in the form of bird and bat boxes on the site would further add to the ecological diversity of the site which, again, can be adequately resolved via condition.

The development would be acceptable in ecological terms subject to the above conditions being implemented.

Contaminated Land

The Council's contaminated land team have been consulted on the application and have requested that a condition be added that manages unexpected contamination on site. It is considered that such a condition would be reasonable.

Land Drainage

The Council's Land Drainage team have been consulted on the proposal and have no objections to the proposal subject to conditions.

EFSAC

The Councils transport consultants were consulted on the application and have provided the following comments:

Existing Site and Development Proposals

The existing site is a series of five barn buildings that are now redundant after having been replaced by new barns to the rear of the site.

The development proposals include the change of use and conversion of the five redundant barns to a mix of Class B8 'storage and distribution' and Class E(g)(iii) 'light industrial'. The total sqm of the proposed commercial floorspace is slightly inconsistent with the proposed commercial floorspace stated as 2,507m² in the TIA, while 2,688m² in the RGPTS.

It is assumed that the proposal is for 2,507m² as identified in the Carter Jonas Planning Statement and in extrapolating the floor area from the trip generation calculations contained in the aforementioned documents.

Existing Traffic Generation

As set out in the TIA, the trip generation of the existing site is zero due the barns currently being redundant. The associated planning documents are clear, the existing site is not currently used, hence the existing generation of zero is accepted.

Proposed Traffic Generation

As set out in the TIA, the proposed trip generation has been identified using the TRICS database for the proposed commercial development.

The daily 24-hour trip rates are produced using TRICS. While the TIA references Appendix A to include the TRICS output, this does not exist in that report and the Council's consultants have instead referenced Appendix E of the RGPTS for the TRICS output. The TRICS output shown in Appendix E of RGPTS shows weekday demand data between 5am and 10pm. While this is not a 24-hour period, it is accepted that as a typical employment site, there will be little to no traffic generation outside of these hours. It is accepted that the trip generation presented represents the annual average weekly traffic (AAWT).

There is a slight discrepancy between daily AAWT with the RGPTS stating there would be 112 and the TIA stating 113. It is accepted that 112 may be a rounding error. The 113 AAWT generation reported in Figure 3 of the TIA is accepted.

The TIA methodology assumes the site is non-operational at weekends. This applies a factored AAWT to create the annual average daily traffic (AADT) generation, resulting in 81 AADT movements, 7 of which are HGV movements as reported in Figure 3 of the TIA. This is accepted.

Proposed Traffic Distribution

The traffic distribution has been amended according to feedback and the TIAA states it is based upon Census 2011 data for 'Location of usual residence and place of work by method of travel to work' for the 'Epping Forest 003' MSOA and google map routing. This is accepted.

The TIAA states that the proposed site would generate up to 8 trips through the EFSAC, including 7 LDV's and 1 HDV (AADT). This is accepted.

Recommendation

Based on the submitted data, the Council's consultants are satisfied that the proposed development will have a net change of 81 AADT movements on the site and that 8 AADT movements will route within the EFSAC and the 200m buffer of which 1 is expected to be a HDV. As such the Council's consultants are content that the applicant has satisfied the HRA requirements.

Conclusion:

For the reasons above, it is recommended that planning permission is granted subject to conditions.

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

*Planning Application Case Officer: Alastair Prince
Direct email: aprince@eppingforestdc.gov.uk*

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Conditions: (17)

- 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: 1235; P.00/C, P.10/G, P.11/G, SU.10/F, SU.11/E

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

- 3 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.

- 4 No development shall take place, including any ground works or demolition, until a construction management plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway:

- Safe access into the site
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel and underbody washing facilities

Reason: To ensure that on-street parking does not occur, turning is provided on-site, and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 5 The development shall not be commenced until a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works has been submitted to, and approved in writing by, the Local Planning Authority. This scheme should include details of the construction methods to be employed and the equipment to be used. With regards to dust

control measures, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.

Reason: To ensure that the proposed construction work does not cause nuisance and disturbance

to neighbouring occupiers and in accordance with policies DM9, DM21 and DM22 of the Epping Forest District Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 6 Prior to commencement of the development hereby approved, a full ecology survey and implications assessment of the site by a qualified ecologist has been submitted to and approved in writing by the Local Planning Authority. The submitted document shall assess the biodiversity impact of the development and propose any necessary mitigation measures. Development shall be undertaken only in accordance with the approved details and so retained.

Reason: To minimise damage to biodiversity, in accordance with Policy DM1 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; 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.

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

- 9 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.

- 10 Prior to the first occupation of the development the access arrangements, as shown in principle on RGP drawing no. 2021/5914/005 Rev P3, shall be fully implemented, and shall include, but not be limited to, the following:

- A new bellmouth access with minimum 10m radii
- Visibility splays of 2.4m 130m to the west, and 2.4m 112m to the east, clear to ground level
- The closure of the existing access and full reinstatement of the highway verge
- Carriageway surfacing works as necessary for the highway works.

With all details being agreed with the Highway Authority.

Reason: To ensure that appropriate and safe access is provided in the interests of highway safety.

- 11 Prior to the first occupation of the development the parking and turning areas as indicated on the

approved plans shall be provided and retained as such for the life of the development.

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

- 12 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 13 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form.

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.

- 14 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.

- 15 The development shall be carried out in accordance with the submitted flood risk assessment (2980-FRA-Oct 2022) unless otherwise agreed in writing with the Local Planning Authority.

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.

- 16 Any gates provided at the vehicular access shall be inward opening only and shall not be set within the highway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.

- 17 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. 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 is 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.

Refusal Reason(s): (0)

Informatives: (5)

- 17 The site is located within a rural location with limited pedestrian/cycle connections and access to public transport. Consequently, it is likely that the majority of trips to and from the site will be by motor vehicle.
- 18 There shall be no discharge of surface water onto the Highway.
- 19 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
- 20 The Local Planning Authority has acted positively 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.

- 20 The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, 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.