

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Sub-Committee East      **Date:** Wednesday, 7 September 2022

**Place:** Council Chamber - Civic Offices      **Time:** 7.00 - 8.35 pm

**Members Present:** Councillors I Hadley (Chairman), H Brady (Vice-Chairman), C Amos, P Bolton, P Keska, C McCredie, J McIvor, R Morgan, J Philip, B Rolfe, B Vaz, C Whitbread, H Whitbread and J M Whitehouse

**Members Present (Virtually):** Councillors R Balcombe

**Apologies:** N Bedford, L Burrows, P Stalker and J H Whitehouse

**Officers Present:** G Courtney (Planning Applications and Appeals Manager (Development Management)), R Moreton (Corporate Communications Officer) and L Kirman (Democratic Services Officer)

**Officers Present (Virtually):** R Perrin (Democratic and Electoral Services Officer) and C Ahmet (Planning Officer)

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### **1. 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.

### **2. 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, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

### **4. MINUTES**

Cllr Hadley drew attention to condition 36 of the decision associated with EPF/0016/19 GYPSEY MEAD WORKS, ONGAR ROAD, FYFIELD, ONGAR CM5 0RB, which should read "Fyfield" and not "Stapleford Abbots". Graham Courtney advised this would be corrected on the decision notice.

**RESOLVED:**

That the minutes of the Sub-Committee held on 10 August 2022 be taken as a read signed by the Chairman as a correct record subject to the above amendment.

**5. ANY OTHER BUSINESS**

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

**6. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)**

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

**7. SITE VISITS**

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

**8. PLANNING APPLICATION - EPF/2364/19 SITE ADJACENT TO GREAT NOTTS, MORETON ROAD, BOBBINGWORTH CM5 0LU**

**Application Ref:** EPF/2364/19  
**Application Type:** Full planning permission

**Case Officer:** Cuma Ahmet  
**Site Address:** Site adjacent to Great Notts  
Moreton Road  
Bobbingworth  
Ongar  
CM5 0LU

**Proposal:** Proposed conversion of an existing barn to form a single detached residential unit, retaining existing access & on-site car parking.

**Ward:** Moreton and Fyfield  
**Parish:** Moreton, Bobbingworth and the Lavers

**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NyP5>

**Decision:** Approve with Conditions

**Conditions: (12)**

- 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:

18/31008/101  
18/31008/102  
18/31008/104  
18/31008/006  
18/31008/007A  
18/31008/008A

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

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building [or those specified on the approved plans, or 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 DBE10 [or DBE1 if structure is not a residential extension] of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 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.

- 5 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.

- 6 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 RP4 of the adopted Local Plan 1998 & 2006, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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.

- 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 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.

- 9 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.

- 10 The driveway access shall be used for purposes connected to the occupation of the residential use of the site and for no other purpose.

Reason : To ensure the use of the vehicle access is connected to the residential occupation of the development and for no other purpose and/or associated uses.

- 11 Prior to any above groundworks of the development hereby permitted, details of provision for adequate storage for waste and recycling for the residential units hereby permitted shall be submitted to and approved by the Local Planning Authority. The measures as agreed shall be complete and available for use prior to first occupation of the residential units and thereafter maintained in accordance with the agreed details.

Reason: To ensure adequate provision is made in a suitable location in accordance with Policy DBE3 of the adopted Local Plan 1998 & 2006, Policy DM11 of the Local Plan Submission Version 2017, and the NPPF.

- 12 Prior to occupation of development, the applicant shall provide details of private garden amenity provision within the site including any landscaping thereof for the written agreement of the Local Planning Authority. The details approved shall be implemented before first occupation and maintained for the life of the development.

Reason: To ensure suitable private garden amenity can be provided for its future occupiers in accordance with Policies DBE4 and DBE8 of the Adopted Local Plan and Alterations (2006) and Policies DM9 and DM10 of the Submission Version Local Plan (2017).

**Informatives: (4)**

- 13 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.

- 14 Note: Under the Land Drainage Byelaws of this Council, Land Drainage Consent is also required before any work commences. Please contact the Land Drainage team on 01992 564000 for application forms. The grant of planning permission does not imply the automatic grant of Land Drainage Consent.

- 15 This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.

16 The applicant is advised to note the advice provided by National Grid in relation to the presence of a nearby high pressure gas pipeline. Should the applicant be unsure of the impacts its development may have on the abovementioned infrastructure, you should contact National Grid in the first instance before any works are carried out and/or continued.

**9. PLANNING APPLICATION - EPF/1713/20 12-14 BRICKFIELD ROAD, COOPERSALE, EPPING CM16 7QX**

**Application Ref:** EPF/1713/20

**Application Type:** Full planning permission

**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/a0h8d00000Nvml>

**Decision :** Approve with Conditions - with additional matter to be included in legal agreement relating to the developers liaising with ECC regarding any plans traffic calming within the immediate area

**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](mailto: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.

**10. PLANNING APPLICATION - EPF/0726/22 MAGNOLIA HOUSE, ABRIDGE ROAD, THEYDON BOIS, EPPING CM16 7NR**

**Application Ref:** EPF/0726/22  
**Application Type:** Full planning permission

**Case Officer:** Ian Ansell  
**Site Address:** Magnolia House  
 Abridge Road  
 Theydon Bois  
 Epping  
 Essex  
 CM16 7NR

**Proposal:** Construction of Pond and Associated Landscaping and Drainage Works.

**Ward:** Theydon Bois

**Parish:** Theydon Bois

**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NyyH>

**Decision :** Approve with Conditions

**Conditions: (8)**

- 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: 1962 SK07 Rev B, SK09 and SK10, 3331/42, and TCTC-18277-L-01 Rev A

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

- 3
- i. 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.
  - ii. 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.
  - iii. The applicant shall 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: In order that such features of importance can be recorded for the benefit of posterity, in accordance with policy HC1 of the adopted Local Plan 1998 & 2006, Policy DM7 of the Local Plan Submission Version 2017, and the NPPF.

- 4 All works in constructing the pond hereby approved and associated drainage shall be carried out strictly in accordance with the SuDS Strategy Letter produced by EAS Ltd dated 10th November 2021 submitted with the application, unless otherwise agreed by the Local Planning Authority through an appropriate application.

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.

- 5 Hard and soft landscaping shall be implemented as shown on Tracy Clarke Tree Consultancy 'Landscape masterplan – proposed balancing pond' drawing number 'TCTC-18277-L-01 Rev A' (dated January 2022); and the accompanying planting schedule. The works shall be carried out prior to the occupation of the building or completion of the development. 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, 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 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 6 Prior to the commencement of excavation work, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved by the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of

being rolled forward over a five- year period).

g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 7 Reason : To 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), s40 of the NERC Act 2006 ( Priority habitats & species) as updated by the Environment Act 2021, policies NC3, NC4 and NC5 of the adopted Local Plan and Alterations, policies DM1, DM3 and DM5 of the adopted Local Plan Submission Version 2017, and the NPPF 2021.

All material excavated from the below ground works hereby approved shall be removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies CP2, DBE1 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM9 & DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), other than as shown on drawing number 1962 SK07 Rev B, no additional hard surface areas shall be laid between the access road shown on the plan and the pond hereby approved, unless otherwise agreed by the Local Planning Authority through an appropriate application.

Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and the Green Belt], in accordance with policies GB2A and GB7A of the adopted Local Plan 1998 & 2006, Policy DM4 of the Local Plan Submission Version 2017, and the NPPF.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no above ground plant machinery or other similar equipment relating to the works hereby permitted shall be installed without the prior agreement of the Local Planning Authority through an appropriate application.

Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and the Green Belt], in accordance with policies GB2A and GB7A of the adopted Local Plan 1998 & 2006, Policy DM4 of

the Local Plan Submission Version 2017, and the NPPF.

- 10 The pond hereby permitted shall be only for the purposes specified in the application, namely to provide drainage of surface water, and shall not be used for any leisure or recreational activity by occupiers of the adjoining residential property or by any third party without prior consent of the Local Planning Authority through an appropriate application.

Reason: In order to ensure the pond remains available for the stated purpose, and to minimise impact on the Green Belt, local character and amenity in accordance with policies GB2A, NC1, DBE2, DBE9, LL2 and ST2 of the adopted Local Plan and Alterations, policies T1, DM2, DM4 and DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 11 In the event the pond ceases to be required for the permitted purpose, it shall be infilled and ground levels restored to that of the immediate surrounding land. In such circumstances:
- i. All material required to infill the land shall be imported from an uncontaminated source,
  - ii. copies of waste transfer notes relating to imported soils shall be submitted to the Local Planning Authority for approval, and
  - iii. a verification report from a qualified specialist shall be submitted to the Local Planning Authority certifying the works have been completed in accordance with the requirements.

Reason: To ensure any 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 the guidance contained within the National Planning Policy Framework, policy RP4 of the adopted Local Plan and Alterations, and policy DM 21 of the Epping Forest District Council Local Plan Submission Version 2017.

**Informatives: (2)**

- 12 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.
- 13 Note: Under the Land Drainage Byelaws of this Council, Land Drainage Consent is also required before any work commences. Please contact the Land Drainage team on 01992 564000 for application forms. The grant of planning permission does not imply the automatic grant of Land Drainage Consent.

Further information is available at  
<https://www.eppingforestdc.gov.uk/environment/land-drainage-consent/>

**11. PLANNING APPLICATION - EPF/1015/22 94 COOPERSALE COMMON, COOPERSALE, EPPING CM16 7QU**

**Application Ref:** EPF/1015/22  
**Application Type:** Full planning permission

**Case Officer:** Alastair Prince  
**Site Address:** 94 Coopersale Common  
Coopersale  
Epping  
Essex  
CM16 7QU

**Proposal:** Proposed conversion of an existing detached garage to a two storey integrated studio (Revised application to EPF/0444/22)

**Ward:** Epping Hemnall

**Parish:** Epping

**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nz04>

**Decision:** Approve with Conditions

**Conditions: (6)**

- 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: 00.001, 00.100, 50.100

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

- 3 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 DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 94 Coopersale Common, Epping, CM16 7QU, and shall not be used for any separate residential or commercial purposes.

Reason: The development does not satisfy the standards considered acceptable by the Local Planning Authority for a separate unit of



accommodation, in accordance with policy DBE1 of the adopted Local Plan 1998 & 2006, Policies DM9 and DM10 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

- 6 The existing hedge to the front of the site, adjacent to Coopersale Common, shall be retained and suitably protected during construction works. If the hedge 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 hedge of the same size and species shall be planted within 3 months at the same place.

Reason: To ensure that the building continues to be screened in order to reduce its impact on the character and appearance of the street scene, in accordance with policy DBE10 of the adopted Local Plan and Alterations 1998 & 2006, and policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

**Informatives: (1)**

- 7 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.

**12. PLANNING APPLICATION - EPF/1203/22 13 DUKES AVENUE, THEYDON BOIS, EPPING CM16 7HG****Application Ref:** EPF/1203/22**Application Type:** Householder planning permission**Case Officer:** Rhian Thorley**Site Address:** 13 Dukes Avenue  
Theydon Bois  
Epping  
CM16 7HG**Proposal:** Retention of decorative railings at first floor level**Ward:****Parish:** Theydon Bois**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NzMA>**Decision:** Refused**Reason: (1)**

- 1 The proposed development would result in harm to the visual impact of the locality since it fails to respect the local character and appearance of the area, contrary to policy DBE10 of the Adopted Local Plan and Alterations, and policy DM 10 of the Submission Version Local Plan (2017).

**Informatives: (2)**

- 2 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development.
- 3 This decision is made with reference to the following plan numbers: PL.1A; PL.2A; PL.3A; PL.4A; PL.5A; PL.6A; PL.8A; PL.9A; PL.10A; PL.11A.

**CHAIRMAN**