

committee agenda



**Epping Forest
District Council**

***District Development Management Committee
Wednesday, 27th July, 2022***

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

Council Chamber - Civic Offices
on **Wednesday, 27th July, 2022**
at **7.00 pm** .

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

G. Woodhall Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors P Keska (Chairman), B Rolfe (Vice-Chairman), R Baldwin, H Brady, I Hadley, S Heap, S Heather, H Kane, H Kauffman, T Matthews, R Morgan, S Patel, C C Pond, J M Whitehouse and K Williamson

SUBSTITUTE NOMINATION DEADLINE:

18:00

1. WEBCASTING INTRODUCTION

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

"I would like to remind everyone present that this hybrid meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or other such use by third parties). Therefore by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on Zoom do not wish to have their image captured they should ensure that their video setting throughout the meeting is turned off and set to audio only.

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

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

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

3. APOLOGIES FOR ABSENCE

Please use the Members' Portal webpage to report non-attendance at meetings https://eppingforestdc-self.achieveservice.com/service/Member_Contact to ensure that your query is properly logged.

Alternatively, you can access the Members' Portal from the front page of the Council's website, at the bottom under 'Contact Us' <https://eppingforestdc.gov.uk/your-council/members-portal/>.

4. SUBSTITUTE MEMBERS

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

5. DECLARATIONS OF INTEREST

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

6. MINUTES (Pages 7 - 22)

(Team Manager – Democratic & Electoral Services) To confirm the minutes of the meeting of the Committee held on 20 April 2022.

7. SITE VISITS

Any member who wishes a site visit to be undertaken for any of the applications listed in this agenda should seek agreement from at least one other member of the Committee and then inform both Planning and Democratic Services **prior to the day of the meeting**.

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

(Service Manager – Development Management) A Planning Policy Briefing Note, dated October 2021, has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017 and the Main Modifications to the LPSV published for consultation between 15 July and 23 September 2021.

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

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

9. PLANNING APPLICATION EPF/2502/20 - LAND AND GARAGES, CHEQUERS ROAD SITE, LOUGHTON (Pages 23 - 34)

(Service Manager – Development Management) To consider the attached report for the erection of one residential building, accommodating 8 flats with associated parking spaces and landscaping.

10. ANY OTHER BUSINESS

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

11. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

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

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

Background Papers

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

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

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

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes, all our meetings are open for you to attend. Only in special circumstances are the public excluded. If you wish to observe meetings live you can view the webcast on the Council's website at: <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

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

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

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

What can I say?

You will be allowed to have your say about the application, but you must bear in mind that you are limited to **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

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

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

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

Yes, you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://www.eppingforestdc.gov.uk/> Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

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

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services.

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 20 April 2022

Place: Council Chamber - Civic Offices **Time:** 7.00 - 8.30 pm

Members Present: S Jones (Chairman), B Rolfe (Vice-Chairman), R Baldwin, S Heap, S Heather, H Kauffman, P Keska, J Lea, R Morgan, C C Pond, S Rackham, J M Whitehouse and K Williamson

Other Councillors:

Apologies: I Hadley

Officers Present: A Marx (Development Manager Service Manager (Planning)), G Woodhall (Team Manager - Democratic & Electoral Services) and T Carne (Corporate Communications Team Manager)

58. WEBCASTING INTRODUCTION

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

59. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES

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

60. SUBSTITUTE MEMBERS

The Committee was advised that no substitute members had been appointed for the meeting.

61. DECLARATIONS OF INTEREST

The following interests were declared by members of the Committee pursuant to the Council's Code of Member Conduct:

- (a) Councillor S Heather declared a personal interest in item 9 (Planning Application EPF/2713/21 – Land at Former Chimes Garden Centre, Old Nazeing Road, Nazeing) of the agenda for the meeting, by virtue of being a member of the Lee Valley Regional Park Authority. Councillor S Heather had determined that his interest was not pecuniary and indicated that he would

remain in the meeting for the consideration of the application and voting thereon.

62. MINUTES

Cllr H Kauffman and Cllr S Heap felt that the minutes of the meeting held on 26 January 2022 did not reflect the views that they had expressed at the meeting and requested that the webcast of the meeting be checked to verify their accuracy. This was agreed by the Committee.

Resolved:

(1) That the minutes of the meeting of the Committee held on 26 April 2021 be taken as read and signed by the Chairman as a correct record.

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

The Committee was reminded that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version (LPSV) on 18 December 2017 and the Main Modifications to the LPSV which had been published for consultation on 15 July 2021. Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for Councillors, Officers, Applicants, Planning Agents and other persons involved in the development management process.

Resolved:

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

64. SITE VISITS

In respect of planning application EPF/0103/22 – Grove Cottages, 64 Ongar Road, Lambourne – Cllr C C Pond stated that additional pictures of the site had been distributed, and therefore there was now a strong case for deferring this application pending a site visit. Cllr J Lea seconded the motion for a site visit.

Resolved:

(1) That planning application EPF/0103/22 – Grove Cottages, 64 Ongar Road, Lambourne – be deferred pending a site visit.

65. PLANNING APPLICATION EPF/2713/21 - LAND AT FORMER CHIMES GARDEN CENTRE, OLD NAZEING ROAD, NAZEING EN10 6RJ

The Service Manager for Development Management, A Marx, presented a report for the Committee to consider the granting of planning permission for the erection of 14 dwellings – 4 flats and 10 houses – with associated parking and private amenity spaces, subject to the completion of a suitable Section 106 Legal Agreement. This application was originally considered at Area Planning Sub-Committee West at its meeting on 16 March 2022 with a recommendation to refuse planning permission. However, the Sub-Committee voted to grant planning permission for the application, subject to the completion of a legal agreement and, as this would represent a

departure from planning policy, the application was referred to this Committee for a final decision.

A Marx stated that the application site related to the southern section of the former Garden Centre and was approximately 1.18 acres. To the south and east of the site was open Green Belt land, and the site itself was wholly within the Metropolitan Green Belt and the Lea Valley Regional Park. The site was accessed from Old Nazeing Road and was within a flood zone 2. The site currently had approval as an area of open managed space from a previously approved planning application for the northern section of the former Garden Centre. The proposed flats and houses would be 2.5 storeys in height, and would be laid out around two private drives off the access road. The design of the development was contemporary and similar in appearance to the dwellings being developed on the northern section of the former Garden Centre.

The Committee noted the summary of representations that had been received in relation to this application, and heard from the Parish Council and the Applicant's Agent before proceeding to debate the application.

A Marx clarified the following points during the discussion:

- it would be conditioned for each dwelling to have a vehicle charging point;
- the site had been previously used as a landfill site for residential waste;
- the land contamination issues were resolved as part of the original planning application for the northern section of the former Garden Centre; and
- the Applicant was citing the affordable housing element and the decontamination necessary as very special circumstances for building on a site within the Metropolitan Green Belt.

Some members of the Committee felt that the original reasons for refusal at the Area Planning Sub-Committee West were valid, and had concerns about the loss of the previously approved open managed space. There were also concerns raised about the amount of affordable housing being offered, and about developing on a former landfill site that was considered unsuitable only six years ago. It was also highlighted that the site had not been identified in the Local Plan for additional housing, and there was no agreed Nazeing Neighbourhood Plan to consider this site against either. Doubt was also cast upon whether the very special circumstances which had been put forward to justify development within the Metropolitan Green Belt were actually very special circumstances.

However, other members of the Committee felt that this application was providing for less houses than previously approved applications on the site which had not been developed, the site itself was very untidy, and numerous businesses had failed on the site. The site had been previously developed and was not open land within the Metropolitan Green Belt. It was highlighted that the Parish Council had no objection to the application provided road warnings were installed for the access road, and that Area Planning Sub-Committee West had voted unanimously to approve the application.

Decision:

(1) That planning application EPF/2713/21 for Land at the former Chimes Garden Centre in Old Nazeing Road, Nazeing be granted planning permission subject to:

(a) the completion of a Section 106 Legal Agreement to secure appropriate financial contributions towards:

(i) the provision of four units of affordable housing within the development site in partnership with an approved provider;

(ii) a late stage affordable housing viability review mechanism;

(iii) contributions to mitigate the development's impact on early years and childcare provision (£15,680), primary education (£45,843) and libraries (£1089.20);

(iv) a contribution to air quality mitigation impacts comprising contribution of £335 per dwelling; and

(v) payment of 5% of the total financial contribution monitoring fee; and

(b) the following planning conditions:

1...The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Drawing 17171-P-001 - Existing location - Phase 2

Drawing 17171-P-002 Rev A - Proposed site layout

Drawing 17171-P-003 Rev A - Proposed layout

Drawing 17171-P-004 Rev A - Type C house - plots 36, 39, 40, 46 and 47

Drawing 17171-P-005 Rev A - Type D house - plots 35, 37 and 38

Drawing 17171-P-006 Rev A – Type H1 apartments

Drawing 17171-P-007 - Type K house - plots 34 and 35

Flood Risk Assessment and Sustainable Drainage Strategy, MTC, December 2019

Highways Technical Note No 2, SCP, 6 April 2020 (Net Traffic Impact)

Preliminary Ecological Assessment, ASW Ecology, December 2019

Gas Risk Assessment, epg, May 2018

Covering Letter, G & J Geo-Environmental, 15th November 2019

Additional Ground Investigation Works, Interpretative Report, G & J Geo-Environmental, May 2018

Environmental Interpretative Report, G & J Geo-Environmental, September 2017

Ground Investigation Factual Report, G & J Geo-Environmental, September 2017

Remediation Strategy, G & J Geo-Environmental, August 2019

Geotechnical Interpretative Report, Maund Geo-Consulting, 28 July 2017

Arboricultural Report Phase 2, Andrew Day, 12th November 2021, Rev 2.

Planning, Design & Access Statement, pps, September 2021

Addendum to Planning Statement, 1 February 2022
Tree Protection Plan, Andrew Day, 12th November 2021
Tree Protection Plan, Andrew Day, 8th December 2019
Toolkit Viability Assessment, Savills, October 2021.

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

4...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.

5...The development be carried out in accordance with the flood risk assessment (FRA Phase 2, Ref 1333, December 2019) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

6...Prior to commencement of development, details of flood mitigation measures shall be submitted to and approved by the LPA. These details are to be clearly set out in a statement, alongside a sound Flood Evacuation Plan that includes details of access and egress. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with approved details.

7...(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.

7...(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.

8...If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

9...Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

10...Tree protection shall be installed as shown on Andrew Day Arboricultural Consultancy Ltd 'Tree Protection Plan' – revision 1 (dated 12th November 2021) prior to the commencement of development activities (including any demolition). The methodology for

development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

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

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

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

14...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.

15...Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages and car ports hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

16...No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

18...No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (1) the parking of vehicles of site operatives and visitors;
- (2) loading and unloading of plant and materials;

- (3) storage of plant and materials used in constructing the development;
- (4) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (5) measures to control the emission of dust and dirt during construction, including wheel washing;
- (6) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- (7) tree protection measures.

19...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.

20...Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, D, E, F of Part1, and Class A and B of Part 2 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

66. PLANNING APPLICATION EPF/0103/22 - GROVE COTTAGES, 64 ONGAR ROAD, LAMBOURNE RM4 1UJ

Application deferred pending a site visit.

67. PLANNING APPLICATION EPF/2211/21 - 100 BROOKER ROAD, WALTHAM ABBEY EN9 1JH

The Service Manager for Development Management, A Marx, presented a report for the resurfacing of the site to be used for parking by Sainsbury's Waltham Point workers on a temporary basis during the construction of a new multi-storey car park; once complete the site would be used for the parking of the HGV trailers. The planning permission would be subject to the completion of a Section 106 Legal Agreement.

A Marx informed the Committee that the application site was located on the Brooker Road industrial estate on the southern edge of Waltham Abbey and just to the north of the M25 motorway. The site is approximately 0.5ha in size and was covered in hardstanding. The site was previously used for the storage of scaffolding, but this use had since ceased and the site was currently vacant. The surrounding area contained a number of industrial style buildings, palisade fencing, significant areas of car parking and had the character and appearance of an industrial estate with a mix of different employment uses.

Planning Officers had concluded that the proposal would facilitate the delivery of up to 350 new employment opportunities on an existing and well-established nearby

distribution centre which was operated by Sainsbury's Supermarkets. The application site had been proposed for allocation in the Local Plan for employment uses and sought to provide temporary parking for existing staff at the nearby distribution centre for approximately 10 months, whilst new parking areas were delivered to facilitate an increase in staff. There are no conflicts with the Development Plan or the Local Plan and as such the proposal was recommended for approval, subject to a legal agreement and conditions.

The Committee noted the summary of representations received in respect of this application and heard from the Applicant's Agent before proceeding to debate the application.

A Marx clarified the following points for the Committee:

- the intended surface of the temporary car park was not known but the site was already fully concreted with a surface drainage plan;
- parking for vehicles at the site would be a sui generis use and any other use in the future would require further planning permission; and
- there were no parking restrictions in force on Brooker Road at the moment and there had been no objections from Essex Highways to the application.

Decision:

(1) That planning application EPF/2211/21 at 100 Brooker Road in Waltham Abbey be granted planning permission, subject to:

(a) the completion of a Section 106 Legal Agreement to achieve the following:

(i) Heavy Goods Vehicles (HGV) associated with the storage of the HGV trailers to be stored on the site must not use any route within 200m of the Epping Forest Special Area of Conservation; and

(ii) upon first operation of the multi storey car park approved under planning reference EPF/2103/21 on the Waltham Point Distribution Centre, the use of 100 Brooker Road for the parking of vehicles shall cease; and

(b) the following planning conditions:

1...The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2...The development hereby permitted shall be carried out in accordance with the details shown on the approved plans listed below: DR-A-9011 P03 Brooker Rd Location Plan; DR-A-9008 P03 Brooker Rd Existing Site Plan; DR-A-9009 P04 Brooker Rd Temp Proposed Site Plan; and DR-A-9010 P05 Brooker Rd Proposed Site Plan.

3...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 and site operatives and visitors.
- Loading and unloading of plant and materials.

- Storage of plant and materials used in constructing the development.
- Wheel washing and underbody washing facilities.

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

5...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.

6...The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the commencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

68. PLANNING APPLICATION EPF/2103/21 - WALTHAM POINT, MERIDIAN BUSINESS PARK & SAINSBURYS DISTRIBUTION CENTRE, WALTHAM ABBEY EN9 3BZ

The Service Manager for Development Management, A Marx, presented a report for the erection of a decked car park on the site of the existing staff car park to provide an additional 192 new spaces and the provision of 95 trailer spaces. Planning permission, if granted, would be subject to a Section 106 Legal Agreement.

A Marx reported that the application site was approximately 17.8ha in size. It was located at the southern edge of Waltham Abbey and was bounded by the M25 directly to the north and a residential estate located to the south. The site was currently used by Sainsbury's Supermarkets as a 24 hour, 7 day a week distribution centre and contained a very large and utilitarian looking distribution warehouse as well as a vehicle maintenance unit and a substantial amount of hardstanding which was partly used for the parking of 432 cars and 405 trailers. The nearby junction 26 of the M25 is offered both east and westbound entry onto the motorway. There was some significant existing landscaping on the boundaries of the site which provided robust screening, however the site was significantly visible from the M25 motorway. The site was currently located within the boundaries of the Metropolitan Green Belt but did not have an open character. There were significant numbers of HGV trailers located on the site during the day which gave the site a distinctly commercial character. Furthermore, the site is designated within the emerging Local Plan as an

existing employment site (WAL.E5) and it was also proposed to remove the site from the Green Belt as part of the Green Belt review.

A Marx highlighted changes that had been agreed with the Applicant for planning conditions 6, 11 and 18. The site was already subject to a Section 106 Legal Agreement, which prevented HGV access through the Epping Forest Special Area of Conservation (EF SAC). Initially, it had been proposed that a second Legal Agreement would be necessary to secure further modest financial contributions, however this would now be secured via a Unilateral Undertaking as this would be quicker to complete.

Planning Officers had concluded that the proposed development sought to increase HGV and vehicular parking on a well-established employment site in Waltham Abbey. The new multi storey car park would provide new employment opportunities on the site and contribute significantly to the local economy. The emerging Local Plan sought to intensify existing employment sites, subject to any application complying with the Development Plan as a whole. In this case, there were no conflicts with local or national planning policy and therefore the proposal was recommended for approval.

The Committee noted the summary of representations that had been received in respect of this application and heard from the Applicant's Agent prior to debating the application.

In response to questions from the Committee, A Marx confirmed that:

- Essex Highways had no objections to the application, and Waltham Abbey Town Council had commented on the application prior to the receipt of the comments from Wessex Highways;
- the planned development had been run through the model for the EF SAC and was found to be acceptable.
- there was no direct pedestrian access from Brooker Road to Waltham Point.

The Committee noted that the original planning application for the site when it was first developed 21 years ago included an obligation to provide a bus service, but this was stopped after a short period of operation as it was not catering for very many passengers. Some members highlighted that this application would lead to more cars in the Waltham Abbey area, which would have a detrimental effect on air quality, and that the site was only 200m from the EF SAC. A local member for Waltham Abbey commented that the distribution centre had not caused too many problems in the area up to now, and this application would generate new jobs for the area.

Decision:

(1) That planning application EPF/2103/21 at Waltham Point (Meridian Business Park & Sainsbury's Distribution Centre) in Waltham Abbey be granted planning permission, subject to:

(a) the completion of an Unilateral Undertaking to secure further modest contributions; and

(b) the following planning conditions:

1...The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2...The development hereby permitted shall be carried out in accordance with the details shown on the approved plans listed below: DR-A-9001 P04 - Location Plan; DR-A-9002 P04 Existing Site Plan; DR-A-9003 P04 Proposed Site Plan; DR-A-9004 P03 Existing Car Park Plan; DR-A-9005 P04 Proposed Car Park Plans; DR-A-9006 P06 Proposed Elevations; DR-A-9007 P03 Proposed Site Sections; DR-A-9007 P03 Proposed Site Sections; DR-A-9012 P02 Proposed Plan-Eastern Perimeter; J210589-GC-A-DR-3-001-Tree Survey Plan - Sheet 1; J210589-GC-A-DR-3-002-Tree Survey Plan - Sheet 2; J210589-GC-A-DR-3-003-Tree Constraints - Protection Plan - Sheet 1; and J210589-GC-A-DR-3-004-Tree Constraints - Protection Plan - Sheet 2.

3...Prior to the commencement of any above ground works, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including any external cladding and internal cladding that is decorative and visible externally, decorative fascia or panels, balustrades and glazing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4...The development shall be carried out strictly in accordance with the flood risk assessment (143672, D.I.D.143672.02, July 2021) submitted with the application unless otherwise agreed in writing by the Local Planning Authority.

5...The development shall be carried out strictly in accordance with the submitted Drainage Strategy. 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.

6...Prior to occupation of any part of development hereby permitted, an Operational Management Plan will be submitted to and agreed in writing by the Local Planning Authority, in consultation with National Highways. The Operational Management Plan will include but not be limited to the following:

- Details of HGV routing;
- Measures to manage HGV movements during peak periods (Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800));
- Details of staff shift changes which seek to minimise the effect during peak operational periods of the surrounding highway network;
- Signage Strategy;
- Car Park Management Plan; and
- Framework Travel Plan for staff on site.

7...The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways. This shall include but not be limited to:

- information relating to the temporary facilities being made available for staff and commercial vehicles during the construction phase
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on SRN
- The hours that delivery vehicles will be permitted to arrive and depart, and
- The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

8...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, and
- Wheel and underbody washing facilities

9...A Workplace Travel Plan is to be submitted to and approved in writing by the Local Planning Authority (in consultation with Essex County Council) prior to the occupation of the development, which shall include the following details:

- travel plan co-ordinator;
- travel surveys;
- measures to be taken to encourage walking, cycling, use of public transport and reduce car travel by staff;
- monitoring and review in collaboration with ECC;
- programme for implementation.

10...Prior to the first occupation of the development, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be adhered to throughout the life of the development.

11...Soft landscaping shall be implemented as shown on Ground Control 'soft landscape proposals plan' drawing number J210583-GC-L-DR-3-006 rev A dated July 2021; 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.

12...Prior to demolition works commencing a Demolition Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk

assessment and a method statement in accordance with relevant guidance such as IAQM assessment of dust from demolition and construction guidance and the control of dust and emissions from construction and demolition best practice guidance published by the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.

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

The submitted method statement shall include details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Bonfire policy
- Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non
- Road Mobile Machinery (Emissions of Gaseous and Particulate Pollutants) Regulations
- 1999
- Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and
- indented dates of operation
- Site plan identifying location of:
- site entrance and exit
- wheel washing
- hard standing
- hoarding (distinguishing between solid hoarding and other barriers such as heras and
- monarflex sheeting)
- stock piles
- dust suppression
- location of water supplies and
- location of nearest neighbouring receptors
- Copy of an asbestos survey

The details and measures contained in the approved demolition and construction management statements must be fully implemented to the Council satisfaction.

14...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:

- A survey of the extent, scale and nature of contamination;
- An assessment of the potential risks to:
 - (a) human health;
 - (b) property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - (c) adjoining land;
 - (d) groundwater and surface waters;
 - (e) ecological systems; and
 - (f) archaeological sites and ancient monuments.

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.

15...The development hereby approved shall be carried out in accordance with the Ecological Impact Assessment and deliver the mitigation measures therein to ensure a biodiversity net gain.

16...The Multi Storey Car Park hereby approved shall provide active EV charging points at a minimum of 15% of all parking spaces and they shall be permanently retained thereafter.

17...Prior to the occupation, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority which identifies how the car park will be managed to ensure exclusive use of EV parking bays by EVs, with appropriate monitoring procedures to ensure effective monitoring and compliance.

18...Prior to first occupation of the Multi Storey Car Park hereby approved a staff and visitor travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan will identify:

- Measures to inform and encourage access by means other than the private car and/or by vehicles that are ultra-low emitting/EV;
- Appropriate Travel Plan mechanisms for monitoring to be submitted to the Local Planning Authority.

69. ANY OTHER BUSINESS

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

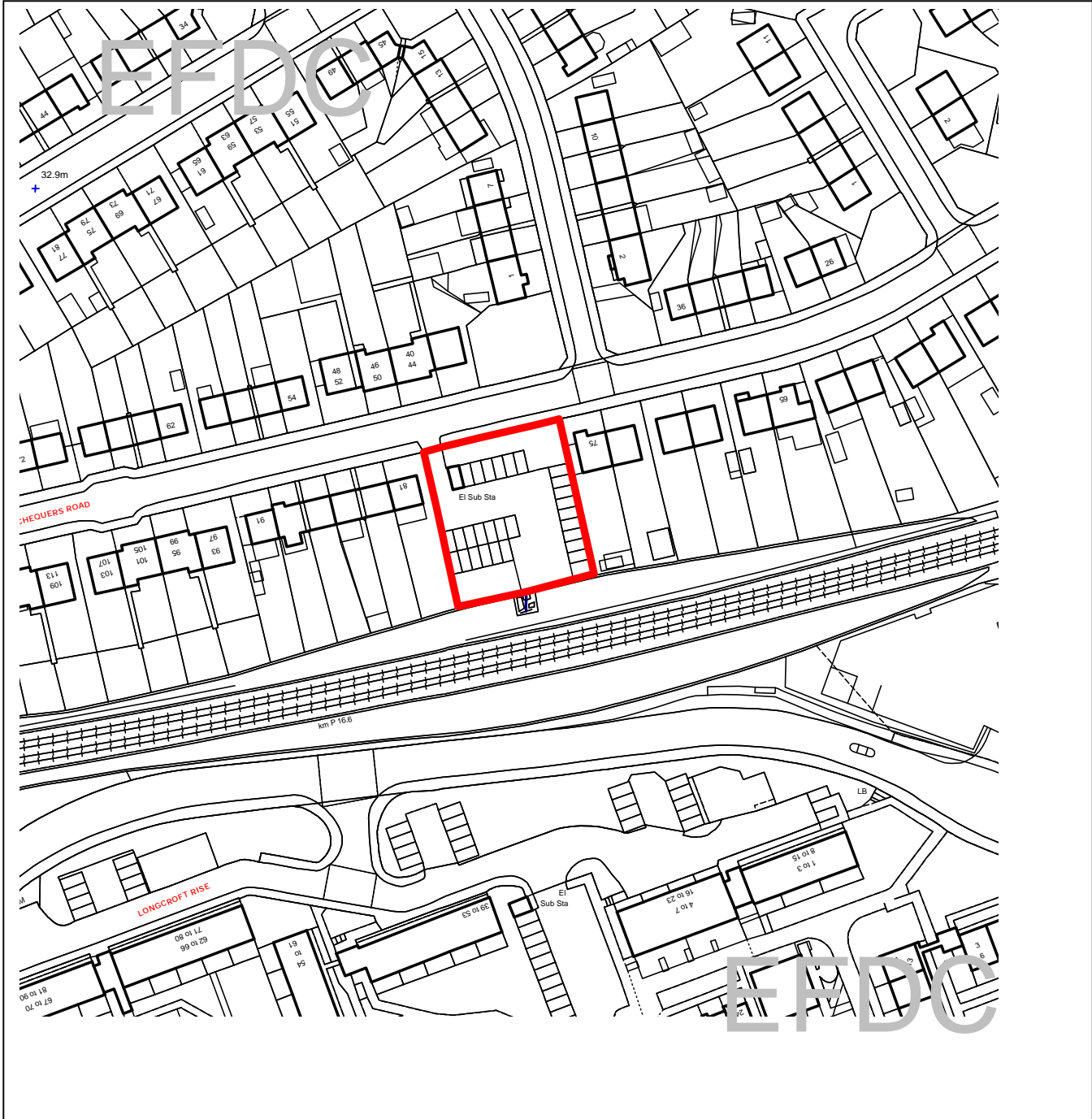
70. EXCLUSION OF PUBLIC AND PRESS

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

CHAIRMAN



Epping Forest District Council



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Application Number:	EPF/2502/20
Site Name:	Land and Garages Chequers Road Site B Loughton, Essex IG10 3QF
Scale of Plot:	1:1250

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Report to District Development Management Committee



**Epping Forest
District Council**

Date of Meeting: 27 July 2022

Address: Land and Garages Chequers Road Site B, Loughton, Essex, IG10 3QF

Subject: Erection of one residential building, accommodating 8 flats with associated parking spaces and landscaping.

Responsible Officer: Marie-Claire Tovey (01992 564141)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations:

1. This application carried an officer recommendation to grant permission when reported to Area Planning Sub-Committee South at their meeting on 8th June 2022. The conditions are as follows:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: P1 Existing Site Plan P4 Proposed Site Plan P4 North and South Elevation P3 East and West Elevation P2 Ground Floor P2 First Floor P2 Second Floor P3 Roof Plan P3 Proposed Sections

3 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.

4 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.

5 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.

6 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.

7 Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

8 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.

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.

10 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.

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

12 The development be carried out in accordance with the drainage strategy (Preliminary Drainage Strategy Buildover Option, 1639-CCE-00-00-DR-D-55-P-0301-D2-P07) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

2. Members of Area Planning Sub-Committee South deferred this item to DDMC with a recommendation to refuse. Members were of the opinion that the scheme was incongruous and of poor design due to its bulk and overbearing impact and out of character in the street scene in this location. The way forward would be to build the implemented 2015 permission.

3. Original Officer Report:

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site is a roughly square site that previously contained Council owned single storey garage blocks which have been removed. The site is currently enclosed with metal fencing. The site is located between No. 75 and 81 Chequers Road and the houses on Chequers Road are a mix of semi-detached and terraced properties. The site backs on the London Underground Line. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the construction of one residential building, accommodating 8 flats with associated parking spaces and landscaping. The building will have a roughly rectangular footprint set back from the road edge by 2.4m. The scheme is 2 and a half storey with the half storey containing undercroft parking at ground level, with 4 flats at first floor and 4 at second. The proposal has a maximum width of 26m, depth of 14.9m (including first floor overhang to the rear) and height of 9.1m. The scheme has a flat roof, with the second floor within a mansard style roof. Each dwelling has a balcony and there is a communal garden to the rear. In the undercroft is the parking for 6 cars, storage for 8 bikes, store and bin storage.

Relevant History:

EPF/2609/15 - Demolition of the existing garages and construction of 5 x 2 bed two storey affordable homes with 10 parking spaces – Approved and implemented

No other relevant history but this site is one of a program of redevelopment sites of Council owned garages, some of which are well into construction.

Policies Applied:

Local Plan (1998) and Alterations (2006)

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 Development Plan are considered to be of relevance to this application:

- CP2 – Protecting the quality of the Rural and Built Environment
- DBE1 – Design of new buildings
- DBE2 - Effect on neighbouring properties
- DBE5 – Design and Layout of new development
- DBE8 – Private amenity space
- DBE9 – Loss of amenity
- ST01 – Location of Development
- ST06 – Vehicle Parking
- LL10 – Adequacy of provision for landscape retention
- TC6 – Local Centres

Epping Forest District Local Plan (Submission Version) 2017

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

Policy		Weight
SP2	Spatial Development Strategy	Significant
DM2	Epping Forest SAC and the Lee Valley SPA	Significant
DM9	High Quality Design	Significant
DM10	Housing Design and quality	Significant
DM11	Waste recycling facilities on new development	Significant
DM10	Housing Design and Quality	Significant
DM22	Air Quality	Significant
T1	Sustainable Transport Choices	Significant
P7	Chigwell	Significant
D1	Delivery of Infrastructure	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 66

10 Objections received from the following addresses:

42, 50, 56, 81, 83 and 85 CHEQUERS ROAD, 1 and 6 DEEPDENE, LOUGHTON RESIDENT'S ASSOCIATION (PLANS GROUP) and 1 anonymous overlooking from balconies, out of character with the road, block light to kitchen and first floor (No. 81), increase parking issues, encouraging anti-social behaviour, 3 storeys out of keeping,

right to light issues, 2016 approval much better.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the following grounds:

- i) By reason of its height, bulk, material and design, the proposal was out of keeping with the streetscene, where there were conventional two storey houses with ridged roofs.
- ii) While appreciating that there were no residences on the ground floor, to mitigate the identified flood risk, there was concern at the potential for anti-social behaviour in the proposed stores at ground floor level.
- iii) Members were concerned for the privacy of neighbours in the adjacent properties caused by overlooking from the rear balconies.
- iv) The plans appear to show 4 (possibly 6) parking spaces for 4 x one bed and 4 x two bed flats. This would be inadequate unless there was a plan not to allow car ownership and the spaces were only for visitors, deliveries etc. Parking in this road was already problematic and would be exacerbated by this proposal.
- v) While noting approval had previously been granted, under EPF/2609/14, for 5 x 2 bed storey affordable homes with 10 parking spaces and associated landscaping, this new proposal would adversely affect the SAC. The Committee believes that this development, alone or in conjunction with others, may have an adverse effect on the EFSAC. Accordingly, the Committee believes that it would be unsafe and unsound to grant this application, by virtue of the greater number of occupants living there.

Main Issues and Considerations:

The main issues are considered to be the principle of the development, design and amenity, highways and parking and impact on the EFSAC.

Principle of Development

The principle of dwellings on this site has already been agreed with the extant permission for 5 dwellings, this proposal increases that number to 8. This site is within the built up area of Loughton and is a previously developed site. The site is within easy walking distance of Debden Underground Station and the shops and services of Debden Broadway and Langston Road. The proposal increases the number of much needed dwellings by a better use of this site within a built up, sustainable location.

In addition this is a council application for council owned properties which will be socially rented which is benefit to the wider community.

Design

The proposal results in a flat roof two and a half storey building with the ground floor housing parking and storage facilities for the occupants. The second floor is contained within a mansard roof which is slightly pitched with the cut in dormers.

The proposal is not typical of the pitched roof properties that surround the site, however it is a contemporary design, separate from its neighbours and is considered to relate positively to the area and make a positive contribution inline with DM9. The materials have been well thought through at design stage and will add to contemporary appearance. The form and scale, although at two and a half storey is not out of

keeping with the surrounding built form (particularly as it will be same height as the building opposite).

The proposal is set back from the road edge so avoids it appearing overbearing.

The proposal is therefore considered to be an acceptable addition within the streetscene and the wider area.

Impact on Amenity

Existing Neighbours

The proposal will cause some disturbance to existing occupiers during construction, this will be unavoidable but any disturbance can be controlled to a degree by condition for example by limiting working hours.

In terms of overlooking there may be some possibility of overlooking to the rear due to the introduction of first floor and above windows, however due to the stepped rear elevation design this will be mitigated through the design approach which will limit views to the side. The rear balconies, will be fully screened (again as part of the design) so side views will be limited. In this case although there may be some overlooking, it is considered that in this built up area, the design of the proposal will limit any excessive harm to surrounding privacy.

To the front, there will be a front to front distance of 22m - again although there is a new introduction of windows at first and second floor, given that any overlooking will be to the front (more public areas) of the properties opposite in Chequers Road this is not considered a significant issue.

In terms of impact on light, clearly this new building will have an impact. It is noted that it is the same height as the maisonettes on the opposite side of Chequers Road and therefore the impact on these properties is considered limited. To the east and west, given the depth to the rear beyond the rear of No. 75 and 81, there will be some loss of early morning/late afternoon light given the orientation. However the proposal is set in from the side boundaries 4m (from No.75) and 1.5m (from No.81).

There is a side facing window at first floor at No. 81 and this will lose some light, however this is a secondary window, and in addition the proposal will be set some 4m from the flank wall of No. 81.

Amenity of Future Occupiers

All the flats meet the Nationally Described Space Standards and are dual aspect. In addition, each flat has access to a balcony and to the communal area to the rear. Privacy is maintained between the dwellings by way of the stepped rear elevation.

Highways and Parking

The proposal provides 6 parking spaces for the 8 flats. This is acceptable in accordance with SVLP policy T1 which does state that:

'Reduced car parking, including car free, development in sustainable locations will be supported...'

As stated above the site is 750m from the Underground station, and the shops and services beyond this, it is a sustainable location where reduced parking is considered to be acceptable.

In addition to the above ample covered cycle parking is proposed.

SAC and Air Quality

RESIDENTIAL APPLICATIONS: Lies in 3km of the EFSAC as defined by the Zone of Influence and would result in a net increase in Average Annual Daily Traffic on roads through the Epping Forest Special Area of Conservation Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV).

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concluded that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of elements of the methodology underpinning the appropriate assessment of the LPSV, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently, the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to this application pertinent to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

1. Recreation activities arising from new residents (recreational pressures); and
2. Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

Stage 1: Screening Assessment

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

1. The site lies within the 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. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

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

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the 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 Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. . 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.

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 (specifically the inclusion of EV charging points). 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.

Conclusions:

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.

Other Matters:

Concern has been raised with regards to anti-social behaviour due to the undercroft, however this is clearly shown to be gated, will be a private area and this will avoid any of the concerns raised.

Conclusion:

Given the above discussion, on balance approval subject to a legal agreement is recommended.

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: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414**

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

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