



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday 19th July 2023**

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

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday 19th July 2023 at 7.00 pm**

Georgina Blakemore
Chief Executive

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

Members: Councillors K Rizvi (Chairman), R Baldwin (Vice-Chairman), I Allgood, D Barlow, P Bhanot, R Brookes, E Gabbett, S Heap, R Jennings, J Jennings, J Jogia, H Kauffman, A Lion, L Mead, L Morgan, S Murray, C Nweke, M Owen, A Patel, S Patel, Caroline Pond, C C Pond, D Sunger, K Williamson and D Wixley

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

1. WEBCASTING INTRODUCTION

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

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

Therefore, by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on MS Teams do not wish to have their image captured, they should ensure that their video setting throughout the meeting is turned off and set to audio only.

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

Members are reminded to activate their microphones before speaking”.

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

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

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

4. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. MINUTES (Pages 7 - 8)

To confirm the minutes of the last meeting of the Sub-Committee held on 21 June 2023.

6. ANY OTHER BUSINESS

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

7. SITE VISITS

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

8. EPF/1204/22 1 LANGSTON ROAD LOUGHTON ESSEX IG10 3SD (Pages 9 - 28)

To consider the attached report on the demolition of existing car wash and cycle / refuse store and redevelopment to provide part 5 and part 6 storey building comprising office (Class Egi) and hotel (Class C1) use, together with associated car parking, cycle parking, access, servicing, refuse storage, plant & landscaping.

9. EPF/2216/22 NEW OAK LODGE, ENGLANDS LANE, LOUGHTON, IG10 2NX (Pages 29 - 46)

To consider the attached report for the erection of a dwelling house and associated works to provide access, parking and landscaping. Refurbishment and repair of Grade II listed gates and piers.

10. EPF/0377/23 5 NAFFERTON RISE LOUGHTON IG10 1UB (Pages 47 - 54)

To consider the attached report on part single-part two storey rear extension with Juliet Balcony, rear box dormer, front dormer, rear and front roof lights, single storey side extension, single storey front extension, and extended patio.

11. EPF/0912/23 40 IBBETSON PATH LOUGHTON IG10 2AS (Pages 55 - 60)

To consider the attached report for the demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows.

12. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

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

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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

Are the meetings open to the public?

Yes, all our meetings are open for you to attend. Only in special circumstances are the public excluded. If you wish to observe meetings live you can [view the webcast](#) on the Council's website. Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

What can I say?

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

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

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

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

Yes, you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details are available on [our website](#). Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

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

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

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

Further Information

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

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

Wednesday 21 June 2023, 7.00 pm - 8.35 pm

Council Chamber, Civic Offices, High Street, Epping

Members Present:	Councillors K Rizvi (Chairman), R Baldwin (Vice-Chairman), I Allgood, D Barlow, P Bhanot, R Brookes, H Kauffman, L Mead, L Morgan, M Owen, A Patel, S Patel, Caroline Pond, C C Pond, D Sunger, K Williamson and D Wixley
Apologies:	Councillor(s) R Jennings, J Jennings, J Jogia, A Lion and S Murray
Officers In Attendance:	I Ansell (Senior Planning Officer), V Messenger (Democratic Services Officer) and R Moreton (Corporate Communications Officer)
Officers In Attendance (Virtually):	G Courtney (Planning Applications and Appeals Manager (Development Management)) and S Mitchell (PR Website Editor)

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

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.

2 DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Members' Code of Conduct, Councillors C C Pond and C P Pond declared a non-pecuniary interest in the following item of the agenda by virtue of living next door and having written an objection to the application. The Councillors determined that although it was a non-prejudicial interest, they would leave the meeting for the consideration of the application and voting thereon:
 - EPF/0760/23 – 5 Staples Road, Loughton IG10 1HP
- b) Pursuant to the Council's Members' Code of Conduct, Councillor K Rizvi declared a non-pecuniary interest in the following item of the agenda since he had attended the Chigwell Parish Council meeting as an observer only when the application was discussed but had not fettered his discretion. The Councillor determined that he would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/0503/23 – Chigwell Nursery, High Road, Chigwell IG7 5BL
- c) Pursuant to the Council's Members' Code of Conduct, Councillor D Sunger declared a non-pecuniary interest in the following item of the agenda, as he had spoken to the Chairman of Chigwell Parish Council's Planning Committee after the meeting to get some feedback. The Councillor determined that he would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/0503/23 – Chigwell Nursery, High Road, Chigwell IG7 5BL

- d) Pursuant to the Council's Members' Code of Conduct, Councillor D Barlow declared a non-pecuniary interest in the following item of the agenda as she had spoken to the Chigwell Residents Association regarding their views. The Councillor determined that she would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0503/23 – Chigwell Nursery, High Road, Chigwell IG7 5BL
- e) Pursuant to the Council's Members' Code of Conduct, Councillor L Morgan declared a non-pecuniary interest in the following item of the agenda as she had attended the Chigwell Parish Council's Planning Committee meeting. The Councillor determined that she would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0503/23 – Chigwell Nursery, High Road, Chigwell IG7 5BL

3 MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 26 April 2023 be taken as read and signed by the Chairman as a correct record.

4 ANY OTHER BUSINESS

The Chairman advised that application EPF/0377/23 (5 Nafferton Rise, Loughton) which was deferred from the meeting on 26 April was not on this agenda as stated in the minutes. The reason for this was clarified further by the Planning (Applications & Appeals) Team Manager, G Courtney.

5 SITE VISITS

Although a site visit to Chigwell Nursery, High Road, Chigwell was proposed and seconded, more members voted against the motion. Therefore, there were no formal site visits requested by the Sub-Committee.

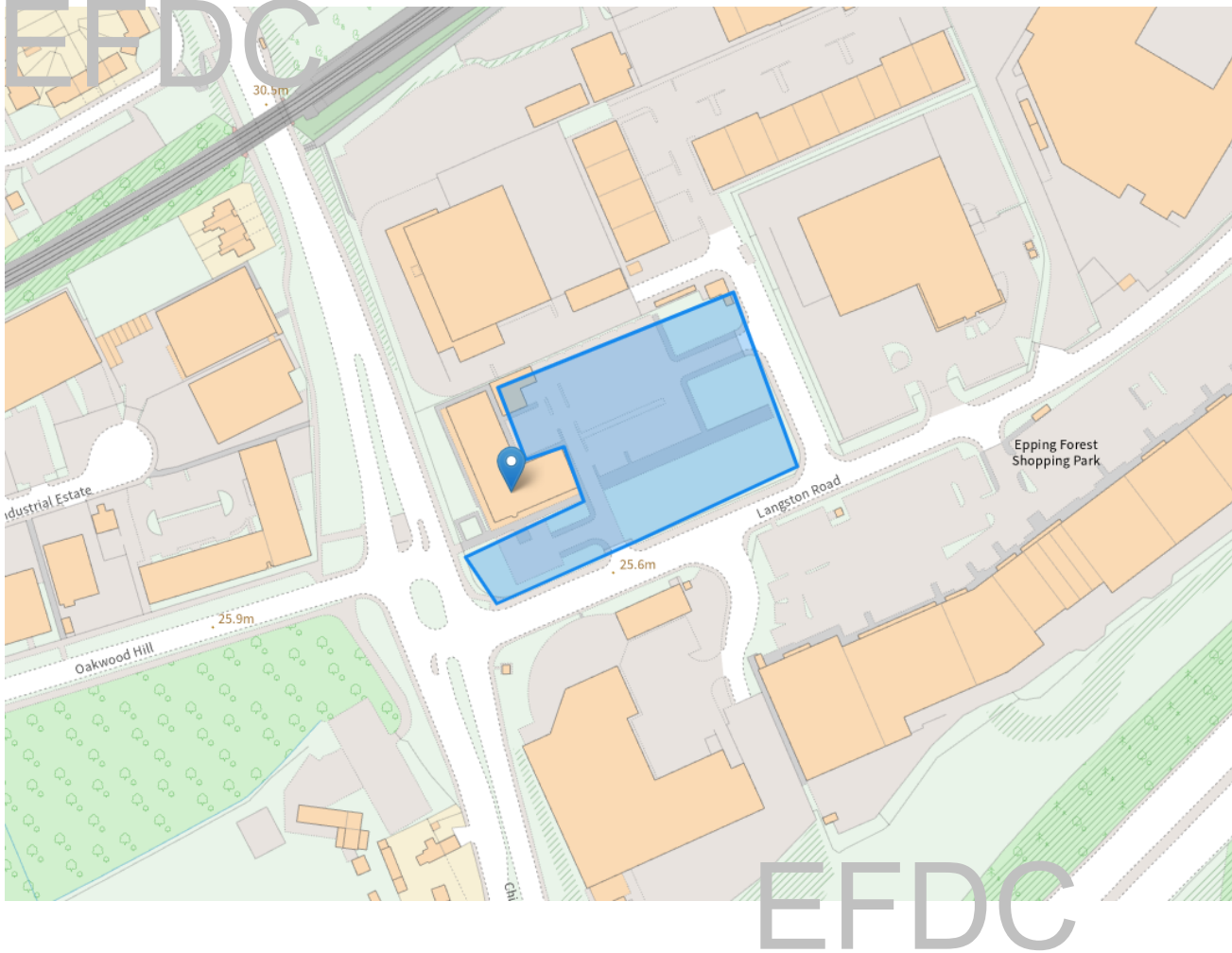
6 EPF/0503/22 - CHIGWELL NURSERY, HIGH ROAD, CHIGWELL, ESSEX, IG7 5BL

The application was [refused](#).

7 EPF/0760/23 - 5, STAPLES ROAD, LOUGHTON, IG10 1HP

The application was [refused](#).

CHAIRMAN



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Application Number:	EPF/1204/22
Site Name:	1 Langston Road Loughton IG10 3SD

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OFFICER REPORT

Application Ref: EPF/1204/22
Application Type: Full planning permission
Applicant: Higgins Partnerships 1961 PLC & Travelodge Hotels Limited
Case Officer: Ian Ansell
Site Address: 1 Langston Road
Loughton
Essex
IG10 3SD

Proposal: Demolition of existing car wash and cycle / refuse store and redevelopment to provide part 5 and part 6 storey building comprising office (Class Egi) and hotel (Class C1) use, together with associated car parking, cycle parking, access, servicing, refuse storage, plant & landscaping.

Ward: Loughton Broadway
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NzMB>
Recommendation: Approved with Conditions (Subject to s106 Legal Agreement)

This application is before this Committee since it is an application that is considered by the Service Director (Planning Services) as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site comprises 0.8 hectares and is located on the northern side of the Langston Road. The site currently comprises an area of hardstanding and landscape used as 113no. parking spaces used by the existing five storey office building fronting Chigwell Lane, known as One Langston, which also sits within ownership of the applicants. This existing office building does not form part of this application.

The site benefits from two vehicular access and egress points; one from Langston Road to the south and one from a access road to the east serving Loughton Business Centre to the north. A pedestrian access is also available from Chigwell Lane to the west.

The site is located within an established employment area. It is bounded by a Mercedes-Benz car showroom to the north, the Epping Forest Retail Park to the south a Volkswagen car showroom to the east and the existing office building at One Langston.

Within the Local Plan the site lies in the Langston Road Industrial Estate designated employment area

Description of Proposal:

The application seeks consent for the development of the existing car park to deliver 3,725sqm of office floorspace and a 100no. bedroom hotel (75 double / twin rooms, 20 family rooms, 5 accessible rooms) with ground floor restaurant, within part five and part six storey buildings.

The proposed office building is similar in footprint and height to the existing office building at One Langston. Both have a height of five storeys, but current building regulations ensure the office building will appear subordinate the existing building.

The adjoining hotel building has a height of six storeys, but due to reduced floor to ceiling height requirements, the overall height of the hotel building is comparable to the proposed office building.

The buildings use differing tones of brick to provide visual interest and break up the elevations, together with aluminium windows and copings to further articulate the façade. At roof level all plant will be screened. PVs are also incorporated as part of the energy strategy together with green roofs.

The development would also provide associated car parking, cycle parking, access, servicing, refuse storage, plant and landscaping.

The existing car park would be reconfigured to provide a total of 165no. car parking spaces and 118no. cycle parking spaces. All parking spaces would be provided with active and passive Electric Vehicle Charging Points.

The proposal retains the existing vehicular and pedestrian access points. A loading bay is proposed to the rear of the new office and hotel building.

The application is accompanied by a number of supporting documents including Design and Access Statement, Planning Statement, Biodiversity Assessment, Contaminated Land Assessment, Drainage Strategy and Flood Risk Assessment, Energy Strategy, Habitat Regulations Assessment, Lighting Assessment, Noise Impact Assessment, Preliminary Ecological Assessment, Sustainability Assessment, Transport Statement, Travel Plan, and Waste Strategy.

Relevant History:

EPF/0333/03 Erection of office building (Class B1 use). Application approved, permission implemented.

EPF/1408/21 Prior approval application for change of use from Office (use class B1) to Residential (Use class C3), Application approved, subject to conditions.

EPF/2090/21 Application to determine if Prior Approval is required for a proposed: Change of Use from Offices (Class B1(a)) to Dwellinghouses (Class C3). (Revision to EPF/1408/21). Application approved, subject to conditions.

Policies Applied:

Epping Forest Local Plan 2011-2033 (2023);

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

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

SP1 Spatial Development Strategy
SP2 Place Shaping

SP6 The Natural Environment, Landscape Character and Green and Blue Infrastructure
 E1 Employment sites
 E2 Centre hierarchy / Retail policy
 E4 The visitor economy
 T1 Sustainable transport choices
 T2 Safeguarding of routes and facilities
 DM1 Habitat Protection and Improving Biodiversity
 DM2 Epping Forest SAC and the Lee Valley SPA
 DM3 Landscape Character, Ancient Landscapes and Geodiversity
 DM5 Green and Blue Infrastructure
 DM9 High Quality Design
 DM10 Housing Design and Quality
 DM11 Waste Recycling Facilities in New Development
 DM13 Advertisements
 DM15 Managing and reducing Flood Risk
 DM16 Sustainable Drainage Systems
 DM17 Protecting and enhancing Watercourses and Flood Defences
 DM18 On-Site Management and Reuse of Wastewater and Water Supply
 DM19 Sustainable Water Use
 DM20 Low Carbon and Renewable Energy
 DM21 Local Environmental Impacts, Pollution and Land Contamination
 DM22 Air Quality

NPPF (July 2021):

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

- 2 Achieving sustainable development – paragraphs 7, 8, 10, 11, 12
- 6 Building a strong competitive economy – paragraphs 81, 82
- 8 Promoting healthy and safe communities – paragraphs 92, 97
- 9 Providing sustainable transport – paragraphs 104, 107, 108, 110, 111, 112
- 11 Making effective use of land – paragraphs 119, 122, 123, 124
- 12 Achieving well designed places – paragraphs 126, 130, 131, 132, 135
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159 – 169
- 15 Conserving and enhancing the natural environment – paragraphs 174, 175, 179 - 182, 183, 185, 186

Consultation Carried Out and Summary of Representations Received

Date of site visit: 15 August 2022

Number of neighbours consulted: 57
Site notice posted: 14 July 2022
Responses received: No response received from neighbours.

LRA (Plans Group) have objected to the application arguing that the traffic report is over reliant of extant consents that are unlikely to be implemented, concerned at traffic impact on the Chigwell Lane / Langston Road junction. Further comments relate to the visual impact of high level signage on the building, and seeking controls to prevent the office building being converted to residential use in the future. Comments are also made on daylight / sunlight report being out of date, but it should be noted that this document is not being relied on by the applicant.

Parish Council: Loughton Town Council also objected to the application. They commented as under:

The traffic report relied too heavily on extant consents that have not been implemented. The second phase of the old office consent was unlikely to be implemented and the approved parking on this phase was merely a paper exercise which should be given little weight.

Members NOTED the comments of the applicant's agent, that the recent residential prior approval consent was not being implemented. Although the committee noted, that at some time in the future the permitted development into flats could well be enacted. In which case the outlook and amenity of residents, would be negatively impacted by the large, towering blocks which are proposed.

They also questioned how, in the current climate, two office blocks could be fully occupied? If however they were to be, the extra vehicular traffic this would result in would have an unacceptable impact on the EF SAC, the site being so close to the Forest.

The committee also noted that the site is literally just yards from the Roding Valley Nature Reserve, River Roding and Green Belt. Three large blocks are unnecessary and would be detrimental to local flora and fauna. Far better to soften this impact by considerably lowering the height of the two proposed office blocks.

Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we object to this application because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

The junction at Chigwell Lane and Langston Road was unable to cope with the additional traffic generated since the opening of the Epping Forest Shopping Park on Langston Road. In particular, the number of cars waiting to turn into Langston Road had caused the traffic to back up past Debden Broadway. Notwithstanding earlier extant consents this application must be considered against existing policy and traffic issues. There is an opportunity to negotiate with the developer an additional lane for cars turning left into Langston Road to alleviate the traffic on Chigwell Lane and carry out other junction and signalling improvements.

The Committee considered underground parking would be a more favourable option, allowing the site to retain the existing green boundary, and preventing the negative impact its removal would have on the street scene. As well the current parking plan would create a large barren desert of tarmac. This would add to the air temperature and provide minimal shade. Parking at the site should also be limited to prevent further stress on the SAC and use of the nearby underground station should be encouraged in this regard.

The submitted daylight study was based on the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a good practice guide, 2nd Edition 2011. This had been

superseded and replaced by Site layout planning for daylight and sunlight: a guide to good practice (BR 209 2022 edition). The applicant should submit a report based on current, not defunct advice.

The Committee believed the height of the proposal was excessive, creating a huge negative impact on the area's appearance, and along with Landmark House set an unwelcome precedent. Members further opposed the unnecessary high-level signage, which was highly visible from long views, and jarred against the treetops of Epping Forest. They were also a distraction for users of the M11. The existing Higgins sign was an eyesore, and this was an opportunity to negotiate its removal to tidy up the roofline along this part of Langston Road.

Members requested Epping Forest District Council ensures a Section 106 agreement is entered into to prevent the new offices from converting to residential under permitted development rights.

Main Issues and Considerations:

Local Plan considerations

The site lies within an area shown in the Local Plan are reserved for employment generating uses. Policy E1 seeks to retain and enhance the opportunities offered within such sites, including those offered by redevelopment and intensification and by introduction of complementary uses which do not impact the employment character and function. Such definition evidently fits the retail park opposite which is included in the same employment allocation.

Policy E4 seeks to promote the potential to exploit the District's potential for tourism by supporting sustainable development which will encourage this function, as well as other economic benefits that would arise from such development. The site meets a number of key criteria that should be applied to the siting of hotel facilities – it is in a highly accessible location in terms of both road and public transport links, in an area where corporate demand is likely to be generated by local businesses for weekday use, and will generate local employment. The application includes a review of other sites considered for the hotel element, but no viable alternative that did not impact other development priorities was identified.

Notwithstanding the extant permissions for residential conversion of the existing office building, the provision of office floorspace is an appropriate development within the designated employment area. Controls over any future change of use can be adequately controlled by condition in this case. The application recognises that an element of speculative floorspace is included in the proposal which will be capable of being used flexibly by a range of businesses and organisations, reflecting current market trends towards smaller and more easily adaptable uses.

In policy terms therefore, the development is appropriate to the designated employment site.

Built form

The built form has been developed having regard to the location and the existing building on the site. Current building techniques and regulations allow the building to provide five floors in the office element and six floors on the hotel within a structure that overall is lower than the existing frontage building. Concentrating taller buildings in a cluster close to the main junction of Langston Road and Chigwell Lane makes sense in design and townscape terms, particularly in a location where impact on surrounding users is likely to be limited.

The buildings are designed to break up the mass and scale through use of differing tones of brickwork are elevational treatment that distinguishes between the two distinct uses. Articulation in the brickwork provides horizontal and vertical articulation that further breaks up the mass. Roof mounted plant is screened by recessed panels which also screen roof mounted solar panels, forming part of a green roof strategy for biodiversity.

Officers consider the built form as now proposed makes a positive contribution to the site location, having followed good design principles.

Highways and traffic considerations

It is noted that objections raise concerns at the applicants reliance on the extant office development permission in comparing relative levels of vehicle activity and thereby impact on traffic. However, while the Transport Assessment does make comparison with the original approval, it is not reliant on this in assessing the level of vehicle movement arising from the development.

The proposal divides parking into three distinct elements, proposing 52 spaces to serve the existing building, 63 spaces to serve the new office and 50 spaces for the hotel. In addition cycle parking is increased to 46 for the existing building, 58 for the new offices and 14 for the hotel. All parking spaces are to include electric charging points. The level of parking reflects the accessible location of the site and changing work practices in office buildings where flexible working reduces the need for daily vehicle trips.

Existing site access points do not require alteration to accommodate the parking arrangements, primary access to the offices will be from Langston Road, the hotel will be primarily accessed from the side service road.

Discussions have considered whether opportunities may exist to make changes to the main junction, including through works to alter the junction itself or to introduce further pedestrian phases at the junction. Any such works would have to be justified by the proposal itself, rather than to solve existing perceived issues. The Highway Authority do not support such works however.

The Highway Authority are satisfied with the contents of the Transport Assessment (TA). They note that the TA analyses the impact of traffic generation arising from the development to the satisfaction of the Highway Authority. They recognise the site is located in a sustainable location, and that Travel Plans have been submitted for both office and hotel staff. As a result, the proposal is not considered to be detrimental to highway safety, capacity or efficiency.

EFSAC

The site lies within the core 3km EFSAC area and has been assessed in terms of recreational and air quality impacts.

The proposal provides for both office accommodation and a hotel. Whilst the office element of the scheme would not be expected to result in recreational journeys, this is not the case in relation to the hotel element. The hotel will provide accommodation for visitors to the District in a location only some 2.1km from the EFSAC (the distance provided in the RPS document). Recognising the attractiveness of the Epping Forest for recreational purposes and the extent of the 'draw' (as identified in Visitor Surveys undertaken in 2017 and 2019) the potential for the hotel element to result in increased use of the EFSAC for recreational purposes, and in particular at weekends, cannot be discounted. There is therefore a need to undertake an 'appropriate assessment' of the scheme to ascertain whether the proposals would have an adverse effect on the EFSAC .

In order to undertake the appropriate assessment arising from the hotel element to determine whether or not the scheme would have an adverse effect on the integrity of the EFSAC the following approach was adopted.

- A 90% room occupancy is assumed at 1.75 persons per room normal occupancy. This provides a total of 157.5 persons.

- The number of persons is then used to equate this to a 'dwellings' figure to provide a reasonable comparator as to potential usage. Based on an average of 2.4 persons per dwelling based on ONS data this would equate to 65.62 dwellings.

- Recognising that the weekend period would be the primary source of additional recreational use this needs to be taken into account in terms of the likely level of additional recreational pressure. This has been assumed on a 2/7th basis to reflect that visitors are likely to arise primarily at weekends. This would equate to 18.75 dwellings.

On the basis of the above assessment it is considered that, without mitigation, it cannot be concluded that the hotel element of the proposal would not have an adverse effect on the EFSAC either alone or 'in-combination' with other plans and projects.

The Council has adopted two strategies to help applicants identify mitigation measures in order to be able to demonstrate that there would be no adverse effect on the integrity of the EFSAC. These have been relied upon in the Habitats Regulations Assessment 2022 referred to above. These are:

- Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy; and
- Epping Forest District Green Infrastructure Strategy

These strategies could be relied on in relation to the hotel element of the scheme in order to arrive at a conclusion that the scheme would not have an adverse effect on the EFSAC. The implementation of the mitigation measures would be delivered by way of financial contributions secured through a Section 106 planning obligation.

Based on the current published financial contributions identified in the above strategies using the assessment of the scheme in terms of equating the recreational pressures to dwellings as set out above this would result in the need for the following contributions:

- SAMM Strategy: £34,736 (£1852.63 x 18.75)
- Green Infrastructure Strategy Roding Valley Infrastructure Enhancement Project: £13,425 (£716 x 18.75).

The contributions have been agreed with the applicants and should be index-linked.

Air quality impacts have been assessed through the Habitat Regulations Assessment. This compares a range of scenarios including the existing use, the residential conversion of the existing building and the proposed development. The report has been reviewed, and the conclusion that the proposed development results in a negligible change is Annual Average Daily Traffic has been agreed. The development can mitigate potential impact further through the inclusion of a minimum of 20% electric vehicle charging points to which the applicants have committed. Thus an Appropriate Assessment can be completed on the proposal.

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.

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 concludes 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 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 parts of the methodology underpinning

the appropriate assessment HRA 2019, 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 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.
- As this application is for non-residential development it has been screened in relation to the atmospheric pollution Pathway of Impact only and concludes as follows:

1) The development would not result in a net increase in traffic using roads through the EFSAC. The Council is therefore satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal or seek financial contributions toward mitigation and monitoring measures.

Landscape and Ecology

The site currently features limited landscape and ecological features. Established hedging along the road frontage and mature feature trees are to be retained. Additional tree and shrub planting is proposed to supplement the existing with an emphasis on maintaining a green frontage consistent with that on the adjoining site to the north. It is noted that low hedging is also used to the south side of Langston Road on the retail park and car dealership.

The existing site provides limited ecological asset other than potential for nesting birds, which can be addressed by condition. Biodiversity net gain will be achieved through the planting of new native and ecologically sympathetic trees and the introduction of a green roof to the buildings.

Other matters

A number of detailed matters raised in consultations can be dealt with through conditions if the application is approved.

The Flood Risk Assessment and surface water drainage strategy adequately set out the site issues and measures to deal with new drainage including permeable paving and new drainage network. These matters can be dealt with by condition.

Site investigation indicates the presence of contaminants on site which will need to be addressed. A general remediation strategy includes removal of contaminated soils, testing of imported materials and future protection of groundworks. This general approach has been accepted and can be dealt with by condition.

The proposals set out plans that will meet sustainability objectives in terms of the building's energy efficiency through design and future usage. The hotel exceeds BREEAM targets of 'very good' and development is in line with Council's net carbon zero goals by 2050.

Air quality and local noise impacts are limited to the construction phase and can be dealt with again by condition.

Conclusion:

The application meets the core policy tests arising from the employment allocation in the Local Plan in that development will generate potential for new employment where none currently exists. The

introduction of a budget hotel in a sustainable location also meets Local Plan objectives to boost the visitor economy.

The buildings are designed to complement the scale and form of other buildings in the vicinity while remaining sufficiently distinctive to contribute to the overall character and mix in the location. No direct amenity issues arise as a result.

Concerns raised in consultations around the capacity of the junction have been fully addressed. The proposal does not result in material impact on the level of road traffic nor the function of the junction. Such a conclusion is supported by the Highway Authority and the external consultant advising on the impact on the EFSAC. The development does have an impact of EFSAC in terms of recreational pressure and this can be mitigated through appropriate contributions set out in this report. New landscaping and biodiversity gains will further enhance the development.

Officers therefore conclude that the proposal will bring welcome new investment into the location with a positive impact on the commercial offer and on the visitor economy. Subject to completion of a legal agreement and to conditions, the application is recommended for approval.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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

Conditions: (26)

- 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:
F1046/P/003 Rev P1
F1046/P/010 Rev P1
F1046/P/011 Rev P1
F1046/P/012 Rev P1
F1046/P/100 Rev P1
F1046/P/101 Rev P1
F1046/P/102 Rev P1
F1046/P/103 Rev P1
F1046/P/104 Rev P1
F1046/P/110 Rev P1
F1046/P/111 Rev P1
F1046/P/112 Rev P1
F1046/P/113 Rev P1

F1046/P/114 Rev P1
F1046/P/115 Rev P1
F1046/P/120 Rev P1
F1046/P/121 Rev P1
F1046/P/200 Rev P1
F1046/P/201 Rev P1
F1046/P/202 Rev P1
F1046/P/203 Rev P1
F1046/P/204 Rev P1
F1046/P/205 Rev P2
F1046/P/206 Rev P2
F1046/P/210 Rev P1
F1046/P/220 Rev P1
F1046/P/221 Rev P1
MCA722/02 Rev B

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

- 3 Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

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

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the Local Plan 2011-2033 (2023), and the NPPF 2021.

- 4 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:

- a) The parking of vehicles of site operatives and visitors.
- b) Safe access into the site.
- c) Loading and unloading of plant and materials.
- d) Storage of plant and materials used in constructing the development.
- e) Wheel and underbody washing facilities.
- f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 The development shall not be commenced until a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works has been submitted to, and approved in writing by, the Local Planning Authority. This scheme should include details of the construction methods to be employed and the equipment to be used. With regards to dust control measures, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.

Reason: To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with policies DM9, DM21 and DM22 of the adopted Local Plan and the NPPF 2021.

- 7 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for such piling has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure, in accordance with policies DM16 and DM21 of the adopted Local Plan and the NPPF 2021.

- 8 The development shall be carried out in accordance with the flood risk assessment (Flood Risk Assessment, Ref LAN1-ISS-ZZ-XX-RP-C-3000, May 2022) and drainage strategy (LAN1-ISS-ZZ-XX-RP-C-3001, February 2023), proposed drainage layout (LAN1-ISS-ZZ-XX-DR-C-3050, Revision P04), and proposed permeable paving as identified in 'Proposed Permeable / Impermeable Layout' (LAN1-ISS-ZZ-XX-DR-C-3210, Rev P03) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of land drainage, in accordance with Policy DM16 and DM18 of the adopted Local Plan and the NPPF 2021.

- 9 No work on any phase of the development, as shown on phasing drawing F1046/P/012 Rev P1 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 each phase of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

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

- 10 Prior to any above ground works in each phase, as shown in phasing drawing F1046/P/012 Rev P1, documentary and photographic details of the type and colours of the external finishes of that phase 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 DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 11 Prior to first occupation in each phase, as shown in phasing drawing F1046/P/012 Rev P1 of the development hereby permitted a plan indicating the position, design, materials, and type of boundary treatment to be erected for that phase, shall have been submitted to and approved by

the Local Planning Authority, in writing. The approved boundary treatment shall be implemented prior to the occupation of the relevant phase of the development and so 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 T1 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 Prior to any above groundworks in each phase, as shown in phasing drawing F1046/P/012 Rev P1, details and location of the parking spaces 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 of the relevant phase. The details shall include:

- Location of active and passive charging infrastructure, including a minimum of 20% active charging points;
- Specification of charging equipment; and
- Operation/management strategy.

The council will expect that a management plan for the charging points is set out clearly. This will address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
- b) How charging point usage will be charged amongst users;
- c) The process and the triggers for identifying when additional passive charging points will become activated; and
- d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with Policies T1 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF 2021.

- 13 No development in each phase, as shown in phasing drawing F1046/P/012 Rev P1, shall be occupied until confirmation has been provided for that phase that either:

1. Foul water capacity exists off site to serve the phase, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All foul water network upgrades required to accommodate the additional flows from the phase have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage

flooding and/or potential pollution incidents and in accordance with policy DM21 of the adopted Local Plan and the NPPF 2021.

- 14 No development in each phase, as shown in phasing drawing F1046/P/012 Rev P1, shall be occupied until confirmation has been provided for that phase that either:

1. Surface water capacity exists off site to serve the phase, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All surface water network upgrades required to accommodate the additional flows from the phase have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents, in accordance with policy DM21 of the adopted Local Plan and the NPPF 2021.

- 15 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

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

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

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a

satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 18 Reference in this permission to the hotel phase or office phase means the relevant severable phase as shown on phasing drawing F1046/P/012 Rev P1 and reference to phase shall be interpreted accordingly.

The office elevation marked “temporary phased construction scenario” on drawing F1046/P/205 Rev P2 shall be provided as part of the office phase where works above superstructure on the hotel phase have not commenced within one year of completion of the office phase. That office elevation may be removed in order to facilitate completion of the hotel phase.

The hotel elevation marked “temporary phased construction scenario” on drawing F1046/P/206 Rev P2 shall be provided as part of the hotel phase where works above superstructure on the office phase have not commenced within one year of completion of the hotel phase. That hotel elevation may be removed in order to facilitate completion of the office phase.

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

- 19 If the hotel phase (or a subsequent permission for the part of the site comprised in the hotel phase) is not commenced within two years of completion of the office phase then a temporary landscaping and parking arrangement plan for the part of the site comprised in the hotel phase shall be submitted for approval to the Local Planning Authority. The temporary landscaping and parking arrangement shall be implemented in accordance with the approved details, unless otherwise agreed in writing. The temporary landscaping and parking may be removed as necessary to facilitate completion of the hotel phase.

If the office phase (or a subsequent permission for the part of the site comprised in the office phase) is not commenced within two years of completion of the hotel phase then a temporary landscaping and parking arrangement plan for the part of the site comprised in the office phase shall be submitted for approval to the Local Planning Authority. The temporary landscaping and parking arrangement shall be implemented in accordance with the approved details, unless otherwise agreed in writing. The temporary landscaping and parking may be removed as necessary to facilitate completion of the office phase.

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

- 20 Prior to the first occupation of each phase of development, as shown in phasing drawing F1046/P/012 Rev P1, the vehicle parking and turning areas for that phase 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.

Reason: To ensure that appropriate access, parking and turning is provided, in accordance with the Highway Authority’s Development Management Policies, adopted as County Council

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

- 21 Prior to the first occupation of each phase of development, as shown in phasing drawing F1046/P/012 Rev P1, details of the cycle parking facilities for that phase shall be submitted for approval in writing by the Local Planning Authority. The approved facilities shall be safe, secure and covered, and are to be provided prior to the first occupation of the relevant phase of the development and shall be retained as such at all times.

Reason: To ensure appropriate cycle parking is provided, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF 2021.

- 22 Prior to first occupation of the proposed hotel, the Developer shall submit a Workplace Travel Plan for the hotel to the Local Planning Authority for approval in consultation with Essex County Council. The approved Hotel Travel Plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,383 (six thousand three hundred and eighty-three pounds, plus the relevant sustainable travel indexation) to be paid to Essex County Council before occupation to cover the 5-year period.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 23 Prior to first occupation of the proposed office, the Developer shall submit a Workplace Travel Plan for the Office to the Local Planning Authority for approval in consultation with Essex County Council. The approved Office Travel Plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,383 (six thousand three hundred and eighty-three pounds, plus the relevant sustainable travel indexation) to be paid to Essex County Council before occupation to cover the 5-year period.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 24 For each phase, as shown in phasing drawing F1046/P/012 Rev P1, soft landscaping shall be implemented as shown on MCA 'Landscape Details – Existing and Additional Planting' drawing number 'MCA722/02 Rev B' (dated 19th April 2022) and the accompanying planting schedule. The relevant works for a phase shall be carried out prior to the first occupation of that phase or completion of the development comprised in that phase. 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 DM3 and DM5 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 25 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment (RPS Consulting Services, April 2022) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2021 -2033 (2023), and the NPPF 2021.

- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class O of Part 3 to Schedule 2, nor any other works to convert any part of the buildings hereby permitted to permanent residential accommodation shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character of the area in accordance with Policy E1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF 2021.

Informatives: (4)

- 27 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.
- 28 It should also be noted that in line with section 6.6 within the proposed drainage strategy, it would be best practice to ensure the existing sewer network in which runs through the site and its associated soakaways are checked and are free flowing post construction
- 29 This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement to secure the following contributions:
- SAMM Strategy: £34,736

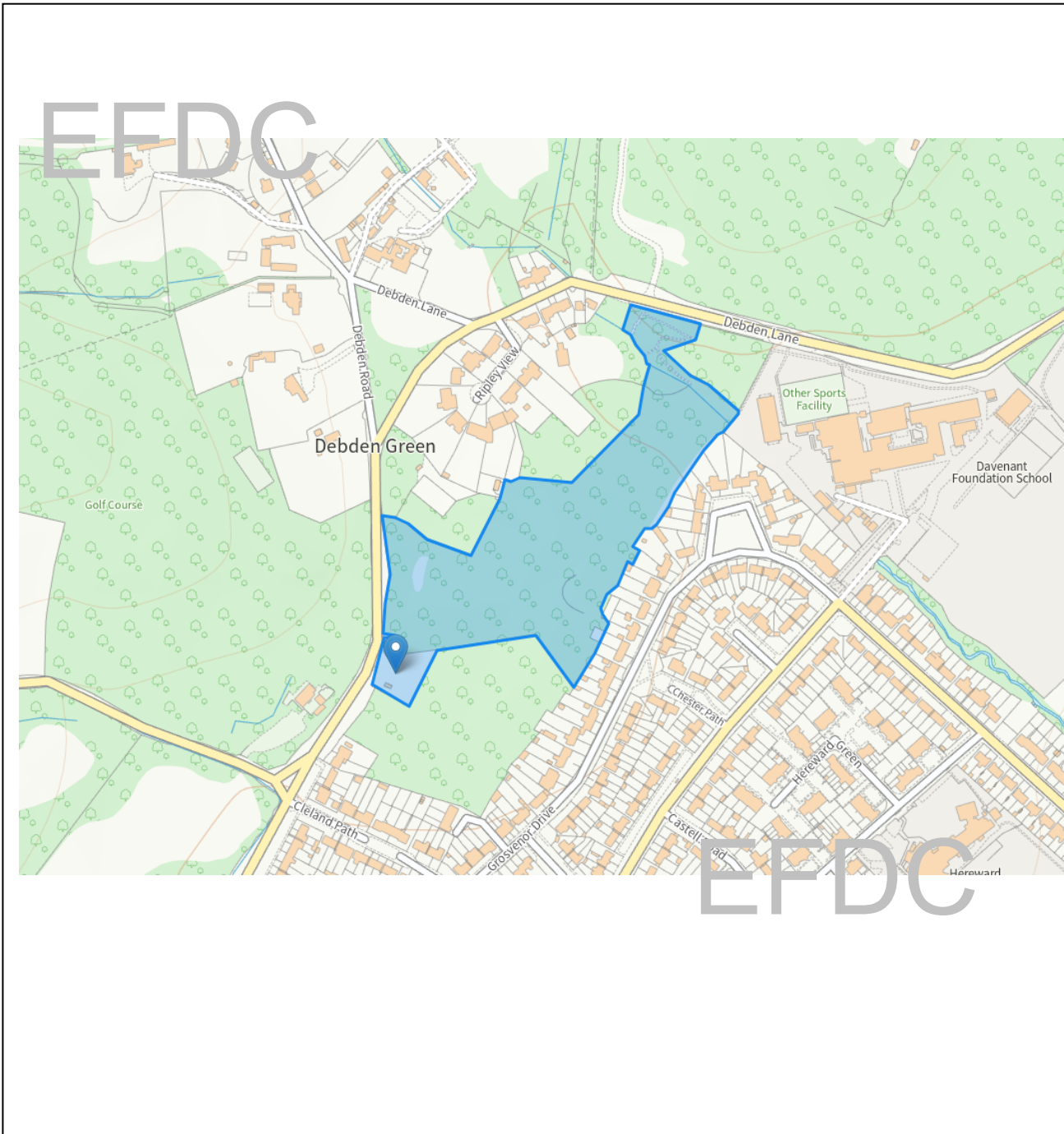
- Green Infrastructure Strategy Roding Valley Infrastructure Enhancement Project: £13,425
- Monitoring fee (5% of total) - £2,408.05

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

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Epping Forest District Council



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Application Number:	EPF/2216/22
Site Name:	New Oak Lodge Englands Lane Loughton Ig10 2NX

OFFICER REPORT

Application Ref:	EPF/2216/22
Application Type:	Full planning permission
Applicant:	Mr Sukh Chamdal
Case Officer:	Ian Ansell
Site Address:	New Oak Lodge, Englands Lane, Loughton, IG10 2NX
Proposal:	Erection of a dwelling house and associated works to provide access, parking and landscaping. Refurbishment and repair of Grade II listed gates and piers
Ward:	Loughton Broadway; Loughton Fairmead; Loughton St. John's
Parish:	Loughton
View Plans:	https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OutA
Recommendation:	Approve with Conditions

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 occupies an area of around 3.97 hectares to the east of England's Lane. It includes the site of New Oak Lodge on the road frontage, a detached bungalow demolished earlier in the site works, and the gate entrance adjacent which is Grade II listed. The site extends northwards between Ripley View to the west and the Grosvenor Drive to the east, and is situated to the south of Debden Lane.

Other than the buildings above, the site has previously comprised unmanaged woodland with self-sown ground cover. The site contains a number of natural features identified in site surveys including what the applicants describe as an 'ancient tumulus / ice house / belvedere – a raised mound on higher ground close to eastern site boundary and a waterfall and stream / brook located towards the northern end of the site.

Natural ground levels across the site vary. The southern end of the site, around the entrance, is at the lower end and land rises to a central ridge running south east- north

west including the area around the tumulus. Land falls away again towards the north down towards the stream with the proposed dwelling located on this northern down slope.

The site's eastern boundary forms the Green Belt boundary in this area and all land and buildings to the north, west and south along with the whole site are within the Green Belt. The eastern site boundary predominantly abuts houses in Grosvenor Drive other than a small section in the north east corner abutting Davenant School. On the west side, much of the boundary is shared with Ripley View, a residential development of predominantly detached dwellings on larger plots. Immediately to the south of these properties, outside the application site, is an area of land in separate ownership – visually there is little difference between this land and the application site at present but the boundary line to a separate site remains evident in places. To the south, the site boundary abuts Home Mead Local Nature Reserve along its entire length.

Members may also wish to note the presence of an electricity sub station on England's Lane around 10 metres north of the site entrance with gates onto the road frontage although it is not served by a vehicle crossover and there is little evidence of recent use from the condition of the ground immediately in front of the entrance.

Description of Proposal:

The application amounts to a variation from the previously approved dwelling on the site. The scheme proposes a single detached dwelling in a similar position on the north downslope, however in a significantly different built form. The new building is built over four floors (including the lower ground element at the northern end) partly built into the slope of the site. The building is elliptical in form with a substantially set back upper floor. An integral parking area is included and what is effectively first floor with level entrance from the higher ground.

Externally, the building is predominantly clad in timber and glass, the parking area formed as a largely open colonnade. A balcony is created at first floor on the south side at first floor. Height is managed by the building being flat roofed throughout, the upper floor roof will house solar panels, the first floor 'roof' will be finished with a green roof.

Vehicle access follows a similar line to that previously agreed, the listed gates will be refurbished as the main entrance and the access road into the site follows the line

of the previous approval. The frontage including the site of the original dwelling will be landscaped and fenced.

Relevant History:

EPF/2969/15 Demolition of existing dwelling house and out-buildings and erection of new dwelling house with associated landscaping works. Refurbishment and repair of Grade II listed gates and piers. Application approved by Area Planning Committee, subject to conditions.

A series of applications followed dealing with pre-commencement conditions and amendments to the building, including addition of a roof floor.

EPF/0439/20 Application for Lawful Development Certificate to confirm commencement of development EPF/2969/15 within prescribed period. The certificate was granted as lawful. As such, the permission remains live and capable of implementation.

Policies Applied:

Epping Forest Local Plan 2011-2033 (2023);

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

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

- SP1 Spatial Development Strategy
- SP2 Place Shaping
- SP5 Green Belt and Local Greenspace
- SP6 The Natural Environment, Landscape Character and Green and Blue Infrastructure
- T1 Sustainable transport choices
- DM1 Habitat Protection and Improving Biodiversity
- DM2 Epping Forest SAC and the Lee Valley SPA
- DM3 Landscape Character, Ancient Landscapes and Geodiversity
- DM4 Green Belt
- DM5 Green and Blue Infrastructure

DM7 Historic Environment
DM9 High Quality Design
DM10 Housing Design and Quality
DM15 Managing and reducing Flood Risk
DM16 Sustainable Drainage Systems
DM17 Protecting and enhancing Watercourses and
Flood Defences
DM20 Low Carbon and Renewable Energy
DM21 Local Environmental Impacts, Pollution and Land
Contamination
DM22 Air Quality

NPPF (July 2021):

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

2 Achieving sustainable development – paragraphs 7, 8, 10, 11, 12
5 Delivering sufficient supply of homes – paragraphs 60, 66, 69, 74, 75, 79
8 Promoting healthy and safe communities – paragraphs 92, 97
9 Providing sustainable transport – paragraphs 104, 107, 108, 110, 111, 112
11 Making effective use of land – paragraphs 119, 122, 123, 124

- 12 Achieving well designed places – paragraphs 126, 130, 131, 132, 135
- 13 Protecting Green Belt land – paragraphs 137, 138, 141, 143, 147, 148, 149
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159 – 169
- 15 Conserving and enhancing the natural environment – paragraphs 174, 175, 179 - 182, 183, 185, 186
- 16 Conserving and enhancing the historic environment – paragraphs 194, 195, 197, 199 – 205, 208

Consultation Carried Out and Summary of Representations Received

Date of site visit: 06 March 2023
Number of neighbours consulted: 41
Site notice posted: No, not required
Responses received: One response received from neighbour at 85 GROSVENOR DRIVE. The neighbour was concerned at the overall height of the building, whether this is adequately screened by existing trees, design of the building, impact on the adjacent nature reserve and the on site heritage assets, and construction disturbance.

LRA (Plans Group) have also commented on the design and form of the building, that it is not characteristic of the original historic building on the site, that the building is too big, the top floor will be visible, particularly in winter when the building is illuminated.

Parish Council: Loughton Town Council objected to the application, commenting as under:

Members expressed disappointment that planning permission was granted for a dwelling on this site within the protected Green Belt. However, the previous consent was for a passable copy of an 1820's house, similar to what had been there before and maintaining the heritage value.

This proposal was for a larger dwelling, of poor design, bearing no resemblance to the historic past. The proposed design was too large, and the top floor would be visible, particularly in the winter and evenings when the large, glazed areas were illuminated.

This site has been regarded as, and grown as it were forest for many decades. Any development on this site should therefore not be visible from the highway at any time of year. The original dense tree cover should be maintained to screen the building and its light pollution from the highway and surrounding forested areas.

Further, Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we object to this application because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

Main Issues and Considerations:

Members will be aware of press coverage of an ongoing prosecution in relation to the removal of protected trees on the site, following an initial magistrates court hearing on Monday 2nd July. These proceedings are unrelated to the current application. Under the auspices of the 2015 planning permission, preliminary works on the site included the removal of trees in the area of the proposed building works and to the access road were carried out and largely completed by 2019. The works subject of the current prosecution took place some time later. Officers have been satisfied during the process of considering the application that the works subject of the legal proceedings do not relate to the current application, and Members should not assume that those works facilitate the proposed development.

The principle of a replacement dwelling on the site has been accepted, and the applicant has the ability to implement that permission. Thus, the application falls to be determined as a matter of detail on its own merits.

The application still requires consideration in relation to the Green Belt, in which the site lies. While national and local policy documents have been revised in general terms, the general thrust of Green Belt policy has not. Thus, as a basic principle new residential development should be treated as inappropriate in the Green Belt, unless very special circumstances dictate otherwise. These issues were at the forefront of the determination of the previous application, and the fact that the previous application remains capable of implementation is significant in this context. A replacement dwelling in a less visible location to the original frontage dwelling and the opportunity to refurbish and bring the original gates back into use are significant benefits. Given the limited impact the building has on the wider character of the Green Belt, the additional floorspace proposed in this application can be justified as not having a materially greater harmful impact on openness.

Comments in representations effectively comparing the current proposal to the previously approved scheme

should not distract Members from considering the development before them. The design is clearly different and unique, but this of itself does not make it unacceptable or inappropriate. The site is not within a Conservation Area or other similarly protected historic environment that would give cues to design and form. More significantly, the building is not wholly visible from any adjoining plot – there will be limited views through the woodland. Further, the topography is such that houses in Grosvenor Drive have rear gardens that rise towards the site, adding to natural screening of the overall plot, while houses in Ripley View have substantial rear gardens providing separation and screening from trees.

Comments on the height of the building should be considered in the context of the changes in levels of the site and much of the surrounding ground. The taller elements are located on the lowest part of the site, excavation to create the courtyard will not be read visually from anywhere other than within the courtyard itself and there are no plans to lower ground levels beyond the immediate area of the build. At the extreme south-western end, the building is at ground level. As a result, the development proposes three levels above existing ground levels, the upper floor of which is set back considerably from the floors below, consistent with the scale of the previously approved building.

Comments are made in respect of illumination from the large areas of glazing included in the building. Given the solar qualities of the glazing proposed, it can be expected that a level of light diffusion will be included in the detailed design, but in any event the glazing would not result in light spillage off the site due to the distance to the boundaries.

In the wider context, the application raises few issues. The access follows the previously agreed route. The works to the listed gates comprise refurbishment of the pillars and the reinstatement of the gates and these will form the entrance to the site, returning these to prominence in the setting of the site. Other historic features within the site are retained.

In light of the extant permission, the development can be viewed as a replacement for the purposes of considering impact on the EFSAC.

Conclusion:

The proposal represents an alternative scheme for one dwelling on the site, development which has already been agreed.

While the architectural approach is clearly different to anything in the locality, and what was proposed on the site previously, this of itself does not mean that the development should not be considered on its own merits.

The proposal seeks to maximise the advantages presented by the changes in site levels, concentrating the taller element on the lowest part of the site and graduating through its levels to the significantly set back upper floor. While the building has a greater footprint than before, the overall levels are consistent. Notwithstanding, the building will be well screened from neighbours and from the wider area such that its distinctive form will have minimal impact on the wider area or local character.

As such, the application is recommended for approval.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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

Conditions: (28)

- 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:

1355-001 re P4, 002 rev P2, 003 rev P2, 004 rev P2, 005 rev P2, 006 rev P2,, 007 rev P3, 201 rev P4, 203 rev P2, 205 rev P2 and 207 re P3.

22149 - 0201 rev P-01, 0202 rev P-01, 0203 rev P-02, , 0301 rev P-01, 0302 rev P-01, 0303 rev P-02, 0304 rev P-02, 0305 rev P-02, 0306 rev P-05, 0307 rev P-03, 0303 rev P-03, 0320 rev P-02, 0321 rev P-02, 0323 rev P-02, 0323 rev P-02, 0330 rev P-02, 0331 rev P-02, 0332 rev P-02, 0333 rev P-02, 0334 rev P-02, and 0340 rev P-00.

TCTC-18049-PL-01-01, 01-03, 07-02, 07-03, 08-01, 08-02 and 08-03.

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

- 3 Prior to commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. 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.

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) and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 4 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. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

7. Tree protection measures.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Method Statement for protected and Priority species (Badgers) has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the following:
- a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e) persons responsible for implementing the works;
 - f) initial aftercare and long-term maintenance (where relevant);
 - g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998, policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 No development shall take place on site unless and until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

No development or demolition shall take place other than in accordance with the Written

Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved.

Reason: The site is an Archaeological site where any remains are irreplaceable and are an interest of acknowledged importance which may be highly vulnerable to damage or destruction. Unless the Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

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

Reason: To ensure that risks from land contamination to the future users of the land and

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

- 9 Prior to preliminary ground works taking place, details of foul and surface water disposal, including any works to the watercourse within the site, 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 foul and surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 Prior to commencement of development, a full schedule of works proposed to the entrance gates and piers shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the dwelling hereby permitted.

Reason: To ensure adequate restoration in accordance with policy DM7 and DM8 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 11 Prior to any preliminary 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.

Reason: To ensure the impact of the intended development upon adjacent properties and the street scene is acceptable, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority prior to the commencement of above ground works. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details shall be

retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

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

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 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 DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 Prior to commencement of above ground works, a plan indicating the position, design, materials, and type of boundary treatment to be erected and not already indicated on the submitted plans, shall have been submitted to an approved by the Local Planning Authority, in writing. The approved boundary treatment shall be implemented prior to the occupation of the development and so 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 T1 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Prior to the commencement of above ground works, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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 and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 17 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Udall-Martin Associates Ltd, March 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination
- Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 18 All tree and shrub clearance works on the site shall only be undertaken outside the bird nesting season (1st March - 31st August unless otherwise agreed by the Local Planning Authority).

Reason: To protect existing habitat in accordance with policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021, and to comply with the requirements of the Wildlife and Countryside Act 1981 (as amended)

- 19 The carriageway of the proposed access road shall be constructed prior to the commencement of the erection of the dwelling hereby approved unless otherwise agreed by the Local Planning Authority.

Reason:- The sensitive ecological character of the site is such that works on the construction of the access road should occur once only to ensure compliance with

policies DM1 and DM3 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

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

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 21 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction - Recommendations), except with the approval of the local planning authority.

Reason:- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of trees are safeguarded in accordance with the guidance contained within the National Planning Policy Framework and policy DM3 of the adopted Local Plan 2011-2033 (2023).

- 22 Prior to any above groundworks, all material excavated from the below ground works hereby approved shall have been 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 DM9, DM12 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 23 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

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

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

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 26 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed to each parking space and retained thereafter for use by the occupants of the site.

Reason: To help support improvements to air quality in accordance with Policies T1 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

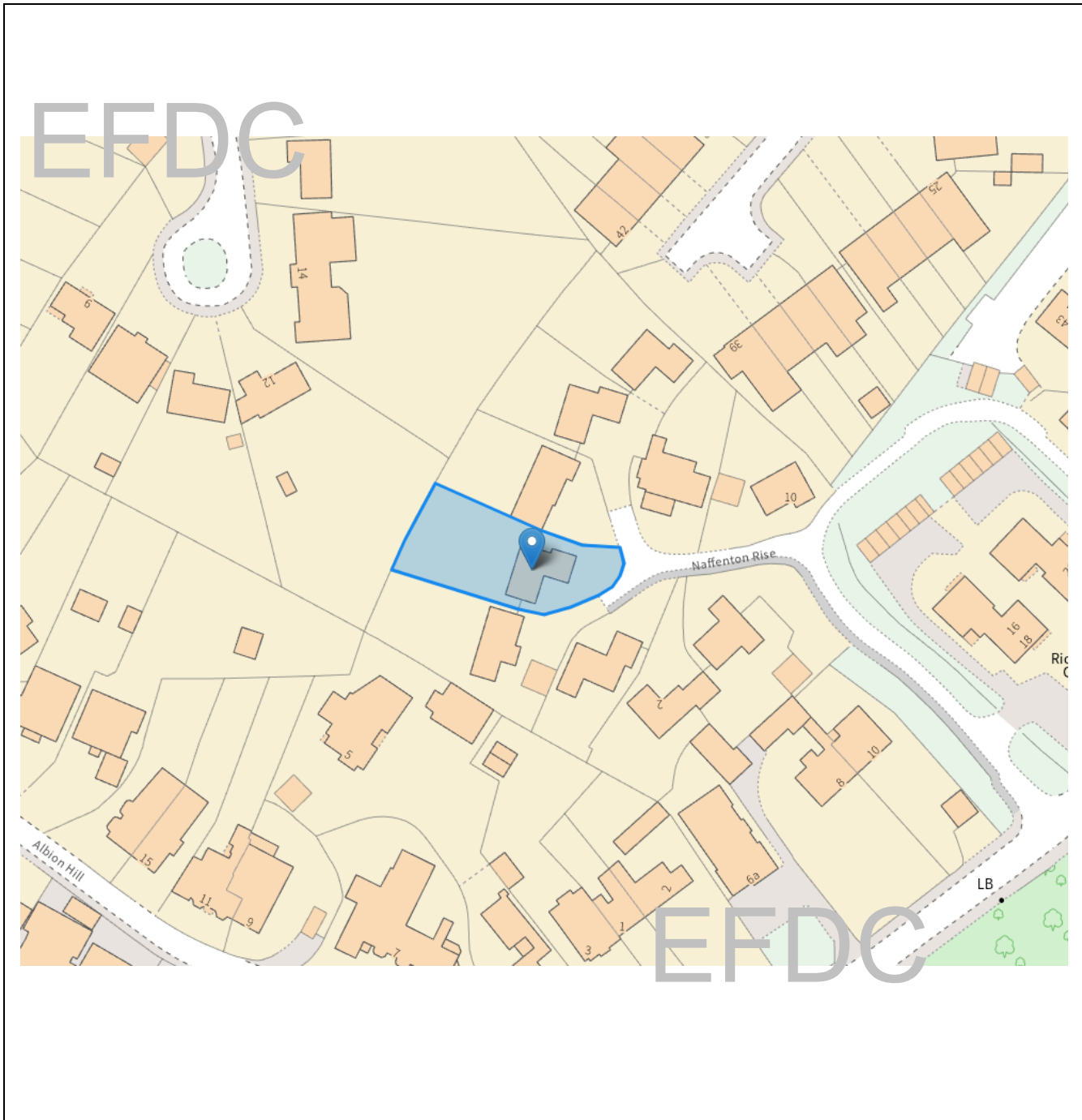
Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties and the Green Belt, in accordance with Policies DM1, DM3, DM4 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 28 Other than shrub or tree planting, the front boundary railings and gates hereby permitted shall not be infilled or enclosed by, or supplemented by any fence, screen or other means of enclosure without prior consent from the local planning authority through submission of a planning application.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policies DM7 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (4)

- 29 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.
- 30 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.
- 31 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.
- 32 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.



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Application Number:	EPF/0377/236
Site Name:	5 Nafferton Rise Loughton IG10 1UB

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OFFICER REPORT

Application Ref: EPF/0377/23
Application Type: Householder planning permission
Applicant: Mr Nabil Dar
Case Officer: Muhammad Rahman
Site Address: 5, Nafferton Rise, Loughton, IG10 1UB
Proposal: Part single-part two storey rear extension with Juliet Balcony, rear box dormer, front dormer, rear & front roof lights, single storey side extension, single storey front extension, and extended patio.
Ward: Loughton Forest
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001VS74>
Recommendation: Approve with Conditions

This application was deferred from the 26 April 2023 meeting for a Members site visit, which took place on Thursday 15th June 2023, and to obtain clarity on the distance between the proposal and the side boundary.

Measurements were taken during the Members site visit and it can be confirmed that the submitted plans do accurately show the distance between the proposed development and the side boundary.

Since the previous meeting amendments were made by the Agent and all parties were re-consulted on the amended plans and the amended description as below;

Part single-part two storey rear extension with Juliet Balcony, rear box dormer, front dormer, rear & front roof lights, single storey side extension, single storey front extension, and extended patio.

The main changes were the reduction to the first-floor rear extension and single storey side extension, addition of front dormer window (Amended design to that approved under EPF/2693/21), and clarification on the measurements from the common boundaries with neighbouring properties.

Following the above re-consultation exercise the following comments were received;

LOUGHTON TOWN COUNCIL - The Committee NOTED the contents of three letters of objection.

A member of the public with an interest in this item addressed the meeting.

The Committee OBJECTED to this application on the grounds that the proposal was an overdevelopment, by reason of excessive scale and building to the boundary. The proposal was out of proportion and not in keeping with the existing design of this development, and it would lead to a terracing effect. The proposed roof lights would be out of character and the Juliet balcony would be intrusive on the amenity of the neighbours.

3, 4, 6, 9 & 11 NAFFERTON RISE & 12 ALBION PARK – Objections – Summarised as;

- Impact on Trees;
- Overbearing Impact;
- Overdevelopment / Out of Character;
- Loss of privacy;
- Concerns re foul disposal; and

- Disturbance from Construction Phase.

Lastly, the Council's Drainage Officer has provided the following comments;

Having reviewed the above application in line with the Council's adopted Local Plan policies, namely DM15, DM16 and DM17, I have no objection to the planning application in principle, subject to the approval/implementation of the requirements set out by this team.

The applicant has no proposal to dispose of surface water. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. Please add condition SCN39 requiring approval of surface water details by the Local Planning Authority prior to preliminary groundworks commencing.

The above condition has been added as condition No.12.

It should also be noted that the previous Local plan has now been revoked and therefore the policies referred to in the Officer report from the old local plan are no longer applicable.

The previous officer report has been reproduced below.

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

Site and Surroundings

The site comprises of a detached house, located within a cul-de-sac on a hill. It is not listed nor in a conservation area or a flood zone. Protected trees lie within the site.

Proposal

The proposal is for a double storey rear extension, single storey side extension & single storey front extension.

This application follows on from a recent pre-application discussion and officer recommendations are present within the scheme.

Relevant Planning History

PRE/0156/22 - Pre-Application for a proposed double storey rear extension, single storey side extension & single storey front extension + Comments on revised set of plans - Advice Given

EPF/2693/21 - Loft conversion with a front dormer - Approved with Conditions

EPF/0170/22 - Application for a Lawful Development certificate for a proposed loft conversion with a rear dormer - Lawful

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023):

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

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

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

DM9 High Quality Design

Epping Forest Local Plan (1998) and Alterations (2006):

On the 06 March 2023 at an Extraordinary Council meeting, it was agreed that 'on adoption of the Epping Forest District Local Plan 2011–2033 and following the end of the six-week period for legal challenge that the following Development Plan Documents and associated Proposals Maps are revoked and should not be used for decision-making:

- a. Those policies of the Epping Forest District Local Plan adopted January 1998 that had not previously been replaced; and
- b. Epping Forest District Local Plan Alterations adopted July 2006'.

The relevant policies from these documents are listed below:

CP7 Urban Form & Quality
DBE9 Loss of Amenity
DBE10 Residential Extensions

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 126 & 130
Paragraph 180

Summary of Representations

Number of neighbours Consulted: 4. 3 response(s) received.
Site notice posted: No, not required.

3 & 6 NAFFERTON RISE & 12 ALBION PARK – Objections – Summarised as:

- Impact on Trees;
- Overbearing Impact;
- Out of Character;
- Loss of privacy; and
- Concerns re foul disposal.

LOUGHTON TOWN COUNCIL – The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds that the proposed extension would have a negative effect on neighbouring properties, and assurances should be obtained before any application is considered.

A Tree Officers report should be requested to verify the contents of the current tree report.

A structural report regarding the retaining walls in the back garden should be prepared to ensure that before any work is started that the retaining walls or replacements are stable and able to support the slope of the hill at the rear of the property.

Planning Considerations

The main issues for consideration in this case are:

- a. The impact on the character and appearance of the locality; and
- b. The impact on the living conditions of neighbouring properties.

Character and Appearance

The group of properties in this cul-de-sac share similar design features, such as the cat-slide roofs, half-hipped roofs, two tone finish etc, which would be mostly retained on the host house to the front, so the view from the street scene would not materially change.

On this note, it is considered that the proposed works which are mostly limited to the rear and side appear subservient to the property and would complement and enhance the appearance of the existing building. The front porch extension raises no design concerns.

On balance, the proposed works would not have a harmful effect to the established character and appearance of the area.

Living Conditions

The host building is orientated towards the southeast and given its siting including that of the neighbouring buildings at a slight angle, together with the limited projection past the rear building line of both neighbouring buildings, there will be no material loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Flank windows can be conditioned to be obscure glazed to prevent any harmful overlooking to neighbouring amenities on either side.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policies CP7 & DBE9 of the LP, Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Other Considerations

Officers note the drainage concerns, however the Councils drainage officer has reviewed the case and concludes that there are no issues in this regard nor recommend any additional conditions.

Concern has been raised with regards to the impact on the trees located to the rear of 12 Albion Park. The Councils Tree Officer has reviewed the submitted information and is satisfied that the trees to be retained can be protected through development with the recommended tree protection measures, which can be secured via conditions. The only proposed tree works listed in their Arb Report are to trees and hedges in the front garden, well away from the trees to the rear of 12 Albion Park.

Any joint ownership or damage to the trees is ultimately a civil issue. However, in this instance those trees are protected by virtue of them being behind the trees in the applicant's garden (which are shown to be retained and protected). Given that there are two retaining walls at differing heights between the trees and the development, no separate measures should be required. The height of the retaining walls is considered to be acting as a root barrier for all the trees behind it.

Conclusion

For the reasons set out above, having regard to all matters raised, it is recommended that conditional planning permission be granted.

If you wish to discuss the contents of this report item please contact the case officer by 2pm on the day of the meeting at the latest, or if no direct contact can be made please email:

contactplanning@eppingforestdc.gov.uk

Case Officer: Muhammad Rahman | mrahman@eppignforestdc.gov.uk.

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: EX000, EX001, EX002, EX003, EX004, EX005, EX006, PR100 Rev. A, PR101 Rev. C, PR102 Rev. C, PR103 Rev. C, PR104 Rev. D, PR105 Rev. C, and PR106 Rev. C.

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

- 3 Tree protection shall be installed as shown on Hallwood Associates Ltd Tree Protection Plan, Drawing No: HWA10822-TPP dated 29/11/2022, 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.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 4 Prior to first occupation of the building/extension, all material excavated from the below ground works & the garden area hereby approved shall have been 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 DM9, DM12 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2, DEB1 & DBE9 of the adopted Local Plan 1998 & 2006.

- 5 One replacement tree (in the front garden), sized 12-14cm girth, of a species and in a position as agreed in writing by the Local Planning Authority, shall be planted prior to the occupation of the building or completion of the development, whichever is the sooner. If within a period of five years from the date of the planting or establishment of these trees, if any of these trees are removed, uprooted, destroyed or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

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

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006.

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

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE10 of the adopted Local Plan 1998 & 2006.

- 8 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006.

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

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy ST4 of the adopted Local Plan and Alterations 1998 & 2006.

- 10 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during

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

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 11 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

- 12 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 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.



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Application Number:	EPF/0912/23
Site Name:	40 Ibbetson Path Loughton IG10 2AS

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OFFICER REPORT

Application Ref: EPF/0912/23
Application Type: Householder planning permission
Applicant: Mr Constantin Frigura
Case Officer: Nathaniel Raimi
Site Address: 40, Ibbetson Path, Loughton, IG10 2AS
Proposal: Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows.
Ward: Loughton Broadway
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001W4QP>
Recommendation: Approve with Conditions

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

Site and Surroundings

The subject dwelling is a two-storey semi detached dwelling. It is located on a residential street with dwellings, some of which have undergone alterations to the front such a front extensions and porches. All the dwellings along the side of the road that the application site is located are brick built. The application site benefits from a forecourt which can used be for off road parking. The application site is not within the Green Belt, Conservation Area nor within a Flood Zone.

Proposal

Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows.

Relevant Planning History

EPF/0327/23 - Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows - Refused

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023);

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

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

DM9 High Quality Design
DM10 Housing Design and Quality

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 132 & 134

Summary of Representations

Number of neighbours Consulted: 9. 1 response(s) received.
Site notice posted: Yes.

25 Paley Gardens – Objections – Summarised as;

The plans submitted are the same as the ones submitted before. By saying the bedroom before is now a study will have the same effect once agreed. It is turning into a large hmo which is already rented to students, the back extension is bringing the back of the house closer to our gardens with bifold doors allowing for more entertaining and possible noise. We have had ongoing water leaks for over a year already caused by multiple extensions being built in Ibbetson path where a house with revised potential to house 9 people with 3 bathrooms will put added strain on an already broken drainage system.

LOUGHTON TOWN COUNCIL – OBJECTS the committee made the following comments:

The proposal is no different to the previous application on this site (EPF/0327/23) and the comments for the previous application are reiterated:

The Committee OBJECTED to this application on the grounds that the proposed extension was too large for this house. Six bedrooms for a house this size was too many, with some of the bedrooms appearing to be below the nationally prescribed space standards. Members believed this proposal appeared to be a conversion into an HMO. The property should be retained as a family home.

There was not enough habitable space for the occupants and eight people sharing two bathrooms was not considered fit for modern living.

Members noted that Ibbetson Path was already a very cramped road, with excessive parking.

Planning Considerations

The main issues for consideration in this case are:

- a) Character and Appearance;
- b) Neighbouring Amenities

The previous application EPF/0327/23, for the same description, was refused for the following reason:

The proposal fails to meet the minimum internal space standards set out in National Prescribed Space Standards. As such, it fails to safeguard the amenity of existing and future occupants and is contrary to policy DM10(A) of the Epping Forest District Local Plan 2011-2033 (2023), policy DBE9 of the adopted Local Plan 1998 & 2006, and the NPPF 2021.

The previous refusal was in relation to the room previously identified Bedroom 6. However, this bedroom is no longer being proposed and the room previously proposed as Bedroom 6 is now a study and therefore the reason for refusal has now been addressed. Since this was the only reason for refusal on the previous scheme, the proposal is considered acceptable and in accordance with the relevant policies.

Character & Appearance

The application proposes the demolition of the existing single storey side extension. The existing single storey side extension has a depth of c.3.2m and is setback 4.2m from the principal elevation with a ridge height of c.2.6m when viewed from the street scene. The proposal is for the erection of a wraparound extension that would be setback from the principal elevation by 3.5m. the proposed wrap around extension would project beyond the rear wall of the existing dwelling by 4.5m and have a ridge height of 3m when viewed from the street scene. The materials proposed would match existing.

The proposed extensions are relatively extensive, but when considered against the relatively large rear garden of the application site and the subservient appearance of the side extension (taking regard of its setback distance), the proposal is considered to be a sympathetic response to the existing dwelling and accords with the character of the dwelling and its context. In addition, the proposal to use materials to match the existing is considered to be acceptable.

Officers also note that adjacent property No.42 Ibbetson Path has been granted planning permission for a similar development (EPF/3310/21 - 4.5m deep rear, full length side and front extension). As with this development, this extension is considered to have an acceptable impact upon the character and appearance of the existing dwelling, surrounding properties and street scene.

Replacement of all existing windows with anthracite grey UPVC windows which is considered acceptable.

Neighbouring Amenities

The main properties to consider are:

Adjacent No.42 to the west

This property has both prior approval and planning permission for a 4.5m deep single-storey rear extension. Taking this into account, the proposed extension would not protrude any further rearwards than this property. Should the neighbouring extension not go ahead, the distance between the two properties, together with their orientation and siting (applicant dwelling on slightly lower land than No.42) is not considered to produce an excessive loss of daylight/sunlight, overshadowing, visual impact or overlooking as a result of this proposed single-storey extension.

Attached No.38 to the east

This property has not been extended to the rear and the proposal would therefore result in the application dwelling protruding 4.5m further rearwards than it. Whilst this is a considerable depth, the orientation of the properties (south facing) limits the extension's impact in terms of loss of daylight/sunlight and overshadowing. Further, as a single storey 3m high addition, the extension is not considered to have an excessive impact upon the occupants' amenities. It is also noted that no objections were received from the occupants of this property.

Conclusion

Overall, the proposal is considered to be acceptable and to have addressed the reason for refusal for the previous scheme under application EPF/0327/23.

Additional Notes

Concerns have been raised around the use of this dwelling as an HMO property. Whilst the application dwelling would go from a 3-bed to a 6-bed as a result of the proposed works, this planning application must be considered on its merits as a Class C planning usage and the matter of the dwelling's use or potential use as an HMO is not material to the consideration of this planning application. It is however noted for the information of the applicant that all houses in multiple occupation (HMOs) now need to be licensed, and depending on the number of people living there, may require planning permission for change of use.

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: Nathaniel Raimi 01992 564 4793

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

Conditions: (4)

- 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 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 0110 Rev 01, 0010 Rev 01, 0020 Rev 01, 0011 Rev 01, 0001 Rev 01, 0101 Rev 01 and 0120 Rev 01

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

Informatives: (1)

- 5 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.