



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE EAST **Wednesday 24th July 2024**

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

Council Chamber - Civic Offices
on **Wednesday 24th July 2024 at 7.00 pm**

Georgina Blakemore
Chief Executive

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

Members: Councillors R Morgan (Chairman), M Dadd (Vice-Chairman), C Amos, R Balcombe, E Barnard, N Bedford, T Bromwich, L Burrows, T Cornish, I Hadley, S Jones, P Keska, J McIvor, J H Whitehouse and J M Whitehouse

[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 that this meeting will be filmed live or recorded, and uploaded to the internet and will be capable of repeated viewing.

Therefore, by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings.

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.

Members and public speakers are reminded to turn on their microphones before speaking and turn them off when they have finished.”

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 4 - 5)

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 6 - 7)

To confirm the minutes of the last meeting of the Sub-Committee held on 26 June 2024.

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/0736/24 - WYLDINGTREE, 66 THE PLAIN, EPPING, CM16 6TW (Pages 8 - 31)

To consider the attached report for the Demolition of existing property and construction of 3 detached houses.

9. EPF/1552/23 - 7A PIERCING HILL THEYDON BOIS CM16 7JN (Pages 32 - 36)

To consider the attached report for the This application relates to a previous application ref number EPF/1873/22 approved on the 15th December 2022. The approved scheme has been amended and been reduced the size by removing the lower ground floor. The upper ground floor remains as approved The application is therefore for an amendment to the current planning permission. *** AMENDED PLAN - Side screen panels have been added to the proposed ground floor rear terrace ***

10. EPF/0450/24 - LAND EAST OF SHEERING LOWER ROAD, SHEERING LOWER ROAD, LOWER SHEERING, CM21 9LQ (Pages 37 - 50)

To consider the attached report for the Outline planning application with all matters

reserved except for access for the erection of 9 dwellings and associated parking and landscaping (Allocated Site - Ref: LSHR.R1)

11. 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.

Agenda Item 2

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

Agenda Item 5

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

Wednesday 26 June 2024, 7.00 pm - 8.23 pm

Council Chamber - Civic Offices

Members Present:	Councillors R Morgan (Chairman), M Dadd (Vice-Chairman), C Amos, R Balcombe, N Bedford, T Bromwich, L Burrows, T Cornish, S Jones, P Keska, J McIvor and J M Whitehouse
Apologies:	Councillor(s) E Barnard, I Hadley and J H Whitehouse
Officers In Attendance:	J Rodgers (Principal Planning Officer), T Larsen (Democratic Services) and S Mitchell (Webcasting)

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

8 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.

9 DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Members' Code of Conduct, Councillor Amos declared a non-pecuniary interest in the following item of the agenda – EPF/0462/24 40 Woburn Avenue, CM16 7JS - by virtue of living in Woburn Avenue. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon.

10 MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 29th May 2024 be taken as read and signed by the Chairman as a correct record.

11 ANY OTHER BUSINESS

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

12 SITE VISITS

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

13 [EPF/2578/22 HOMES FARM MOUNT ROAD THEYDON GARNON CM16 7PH](#)

Members of the Committee received a presentation from the Planning Officer, representations from Theydon Mount Parish Council as well as representation from the applicants agent. The Committee discussed the merits of the application.

Resolved:

The Committee voted to approve the application as per officer recommendation.

14 [EPF/2406/23 TAW LODGE FARM EPPING LANE STAPLEFROD TAWNEY RM4 1ST](#)

Members of the Committee received a presentation from the Planning Officer, representations from an objector, from Theydon Mount Parish Council as well as representation from the applicant.

The Committee discussed the merits of the application.

Resolved:

The Committee voted to approve the application as per officer recommendation.

15 [EPF/0462/24 40 WOBURN AVENUE THEYDON BOIS CM16 7JS](#)

Members of the Committee received a presentation from the Planning Officer, representations from an objector, and from Theydon Bois Parish Council.

The Committee discussed the merits of the application.

Resolved:

The Committee voted against the officers recommendations to approve the application, for the following reasons:

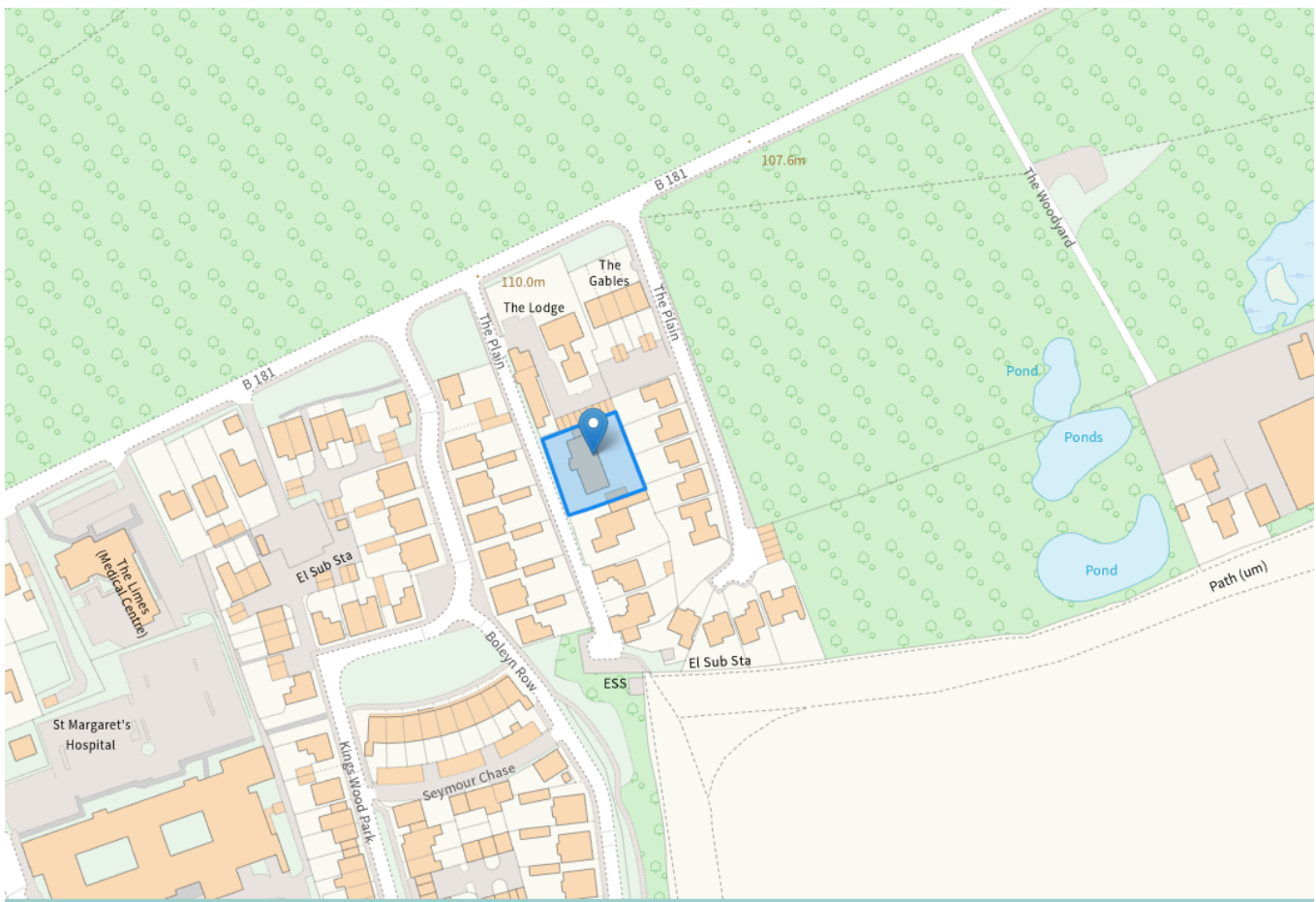
The proposed single storey side and rear extension by reason of excessive scale, bulk and proximity to the boundaries with no. 38 and no. 42 Woburn Avenue would have a visually obtrusive and overbearing impact comprising an unneighbourly form of overdevelopment resulting in loss of light and outlook causing harm to the amenity of adjoining occupants. The development is therefore contrary to Policy DM9 of the adopted Local Plan 2023, and the NPPF 2023.

CHAIRMAN

Agenda Item 8

OFFICER REPORT

Application Ref: EPF/0736/24
Application Type: Full planning permission
Applicant: Mr Shillcock
Case Officer: Sukhvinder Dhadwar
Site Address: Wyldingtree, 66 The Plain, Epping, CM16 6TW
Proposal: Demolition of existing property and construction of 3 detached houses.
Ward: Epping Lindsey and Thornwood Common
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0hTv0000005i3d>
Recommendation: Approved with Conditions (Subject to s106 Legal Agreement)



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This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings:

The application site contains a detached one-and-a-half storey chalet bungalow situated on the eastern side of the private road section of The Plain that serves a block of flats and five dwellings and runs adjacent to the rear of the New Kingswood Park Estate.

The site is located outside of the designated Green Belt in the very north-eastern part of Epping. To the immediate north of the site is the garage court serving a block of apartments known as The Lodge. There are residential properties on all other sides, including detached bungalows to the south.

The application site is located within the urban settlement of Epping. It is not situated within a conservation area nor is the dwelling listed, locally listed or a non-designated heritage asset.

Proposal:

Permission is sought for the demolition of the existing property and the construction of three detached houses.

Each house measures 4.95m high at eaves level and 8.65m high to the ridge of their hipped roofs. The Design and Access Statement indicates the finished floor levels of the houses will be 0.27m lower than that currently. The width of the houses will be 7.8m and they will have a maximum depth of 11m.

Two new trees will be planted in the rear garden of plot 1 and 2 trees are proposed to be planted within the front forecourt of the site.

Solar panels are proposed on the southern roof slopes of each house.

This application is an amendment to the refused scheme under reference EPF/0384/21. The changes made include:-

- The number of proposed dwellings from four (2 pairs of semi-detached houses), to three detached dwellings.
- The design of the properties has also changed from a town house style to a detached, hipped roof property.
- The overall depth of the houses has also been reduced so that they are no further back than the existing first floor windows on the existing property. Therefore, the new windows, will be on the same line as the existing situation.

Relevant History:

Reference	Description	Decision
EPU/0053/55	Dwelling house	Approved
EPF/0989/79	Re-construction of four dormer windows and alterations to front storm porch	Permitted Development
EPF/1111/19	The demolition of the existing chalet bungalow and the erection of four new two-and-a-half storey dwellings	Refused
Reasons for refusal were: <ol style="list-style-type: none">1. The proposed development would see the loss of the chalet bungalow on the site. This is contrary to Policy H1(F) of the Epping Forest District Local Plan (Submissions Version) 20172. The proposed new development would cause an unacceptable adverse impact on the character and appearance of the Plain as the design of two		

pairs of semidetached houses results in an excessively high, bulky and over dominant form of development which out of character with the existing street scene, contrary to the NPPF and the Local Plan (as amended) policies CP3, DBE1, and DBE2 of the Adopted Local Plan and Alterations and policy DM9 of the Epping Forest District Local Plan (Submissions Version) 2017

Appeal dismissed under reference APP/J1535/W/19/3239786 on grounds of the harm it would create to the integrity of the Epping Forest Special Area of Conservation and for no other reason. (A copy of the decision notice is attached to the bottom of this report.)

EPF/2438/19	Demolition of an existing bungalow construction of x3 no. terrace houses and x1 no. chalet-style bungalow with associated parking & gardens.	Refused
EPF/0384/21	Demolition of existing bungalow and construction of 2x pairs of semi-detached houses with associated parking & gardens (Revised application to EPF/1111/19).	Refused

Reason 1

The proposed development would result in an overdevelopment of the site, would appear overly prominent due to their height and overall scale and due to its detailed design and prominence would fail to relate positively to the character and appearance of the surrounding area. The proposal therefore fails to be of high-quality design and is therefore contrary to Chapter 12 of the NPPF, policies CP7, DBE1 and DBE3 of the Adopted Local Plan, Alterations, and policies SP 3 and DM9 of the emerging Local Plan.

Reason 2

The proposal due to its height, bulk, depth, and position will have significant overbearing impact on the neighbouring residential properties at nos. 78 and 80 The Plain. It is therefore contrary to chapter 12 of the NPPF, policies DBE 2 and DBE9 of the adopted Local Plan and Alterations and DM9 of the emerging Local Plan.

Dismissed at appeal and decision upheld.

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Epping Forest Local Plan 2011-2033 (2023):

On the 06 March 2023 at an Extraordinary Council meeting the Submission Version Local Plan was adopted by Epping Forest District Council. The now adopted Local Plan will be referred to as the Epping Forest District Local Plan 2011-2033.

The relevant policies are listed below:

Policy

SP1 - Spatial Development Strategy 2011-2033

SP2 - Place Shaping

H1 - Housing Mix and Accommodation Types

T1 - Sustainable Transport Choices

DM1 - Habitat Protection and Improving Biodiversity

DM2 - Epping Forest SAC and the Lee Valley SPA

DM4 - Green Belt

DM5 - Green and Blue Infrastructure

DM6 - Designated and Undesignated Open Spaces

DM7 - Heritage Assets

DM9 - High Quality Design

DM10 - Housing Design and Quality

DM11 - Waste Recycling Facilities on New Development

DM15 - Managing and Reducing Flood Risk

DM16 - Sustainable Drainage Systems

DM17 - Protecting and Enhancing Watercourses and
Flood Defences

DM18 - On Site Management of Waste Water and Water
Supply

DM19 - Sustainable Water Use

DM20 - Low Carbon and Renewable Energy

DM21 - Local Environmental Impacts, Pollution and
Land Contamination

DM22 - Air Quality

NATIONAL PLANNING POLICY FRAMEWORK (December 2023)

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.

Consultation Carried Out and Summary of Representations Received

Responses received:

64 THE PLAIN, 70 THE PLAIN, 78 THE PLAIN, 80 THE PLAIN, 82 THE PLAIN, THE LODGE – 6 OBJECT:

This proposed development is on a narrow unmade private lane which is maintained by the residents. We do not believe the new proposal of 3 x four-bedroom properties would fit in with the local 'street scene' for the road and that it would be an excessively large development in comparison to the current single bungalow.

Loss of view

Each of the new houses proposed has a roof height that is greater than the existing bungalow and with the design being that of a two storey then the impact of the roof line starting at the top of the first-floor vs the current roof line providing a gradient sloping away at the top of the ground floor it is clear to see that further light will be blocked.

In addition, at the rear of Plot 1 it is planned to plant two *Betula Jacquemnotii* trees, otherwise known as Birch trees which will grow to a height of between 9 and 15 metres i.e. to a minimum of the height of the house and onwards to 50% taller still. Being sited at the boundary fence this is simply an unacceptable blocking of light and view.

Insufficient parking

Noise pollution from increase in dwellings on the site

Adverse impact to amenity during construction

Loss of privacy

Difficult for emergency services

Suggested conditions:-

1. No attic conversion / introduction of dormer windows be allowed at any future date.
2. That the planting of two *Betula Jacquemnotii* trees be disallowed with only trees that grow to a maximum of three metres high be allowed.
3. That a double skin brick retaining wall to be constructed between the boundaries of the development and nos. 76,78 and 80 The Plain i.e. the rear wall. This should be to a minimum height of 2.5m to mitigate against both the additional noise from the new development and serve to minimise the level of being overlooked and protect the privacy of those in the new development which have the 'higher ground' as well as ourselves. This should run parallel to the

existing garages and boundaries of the development and property 76. This should be put into place prior to any demolition and construction of the current bungalow.

4. That any building works be restricted to Monday to Friday (excluding public holidays) and only between the hours of 8am and 6pm.

66A THE PLAIN, 68 THE PLAIN-2 SUPPORT: Will improve road setting. Will replace derelict house with a suitable scheme.

PARISH COUNCIL: No objection

Main Issues and Considerations:

Principle of the development

Policy SP 1 of the LP indicates that additional 'windfall' sites will be permissible under Part B of Policy SP 1, within defined settlement boundaries.

The application site is located within the urban town of Epping within flood zone 1 (i.e. least likely to flood). The site also has no heritage designation attached to it. It would therefore meet the requirements of policy SP 1 in regard to where new housing should be located.

Background

This application is a resubmission of the refused scheme under references EPF/1111/19 and EPF/384/21 for the demolition of the existing chalet bungalow and the erection of four new two-and-a-half storey dwellings. That application was refused by members of the East Area Planning Sub Committee on the grounds that it was overdevelopment and that it would harm neighbouring residential amenity. (See History section).

Both the decisions were appealed under reference APP/J1535/W/19/3239786 and APP/J1535/W/22/3296440. The Inspector for the first appeal only found grounds for dismissal related to the lack of an Air Pollution Mitigation Strategy.

However, when determining the later appeal the Inspector Willis found that:-

"The proposed properties would fill a large proportion of the plot with only small gaps to the built form either side or between the pairs themselves. This would erode the existing greater spaciousness of this part of the street scene. Nevertheless, the streets in front and backing onto the site often have relatively small gaps between many of the properties. As a result, the scheme would not be significantly different to that of the more tight-knit layout nearby and the harm would be minor".

However in respect to neighbouring living conditions, he found that:-

'12. The existing property has first floor accommodation and the proposal would not substantially increase the maximum height of the built form at the site. Nevertheless, the proposed pairs of properties would fill much more of the width of the site. This would result in a significant expanse of built form stretching across much more of the plot, especially at upper floor levels than the existing dwelling. Moreover, the proposed dwellings would be positioned closer to 78 and 80 The Plain with gable rather than partly hipped roofs.

13. These factors, along with the steeper sloping rear roof slope, crown roof and higher eaves, would result in 2 imposing blocks of built form as experienced from the gardens of 78 and 80 The Plain. Currently the lower height and greater set in from the boundaries of the site means there is an outlook either side and beyond the appeal property even with lower ground levels behind. In contrast, having visited them, from the rear garden and rooms at 78 and 80, whose windows face directly towards the appeal site, the proposed properties would become the dominant feature. Even if existing boundary features were

retained, and with future planting that would take time to mature, the scheme would result in an oppressive and unacceptable outlook for the occupiers of these properties.

14. The existing rear first floor windows at the appeal site facing 78 and 80 The Plain result in some degree of overlooking into their gardens and rear rooms. Some overlooking also takes place from the 3 storey properties nearby. However, these are more distant or angled than the first and second floor windows proposed. The appeal scheme would introduce additional windows, across more of the site and at a higher level with the dormers. As the rear first and second floor windows serve bedrooms, it would not be appropriate to require them to be obscure glazed and non-opening. Along with the position of the proposed dwellings, the appeal scheme would cause additional overlooking at a closer distance and greater height over and between boundary treatments and landscape features. The scheme would result in an unacceptable reduction of privacy for the occupiers of 78 and 80 The Plain'.

The subsequent Judicial Review of this appeal decision, found it to be sound.

Design

The scheme has been revised to address the previous concerns raised by Inspector Willis. Amendments include 1 less unit which allows an increased number of breaks between the dwellings. The removal of accommodation in the roof and the replacement of mansard roofs with hipped roofs adds further to the visual space between the dwellings in comparison with the dismissed scheme. The reduction in units also now allows for improved soft landscaping in between the car parking with the front forecourts of the dwellings. These changes are considered sufficient to address the concerns raised by the Inspector.

Quality of residential accommodation proposed

All dwellings meet current internal space standards set out in the Essex Design Guidelines and National Technical Standards. They also provide acceptable levels of outlook and ventilation. All units meet amenity space standards required by Policies DM5, DM9 and DM10 of the Local Plan. The quality of the proposed accommodation is therefore considered acceptable.

Impact on the living conditions of neighbouring residential occupiers

The Planning Inspector in his dismissal of EPF/0384/21 noted that the ridge height of the proposed dwellings "would not substantially increase the maximum built height of the built form at the site" However he did raise concerns about the width and bulk of that proposal causing loss of outlook and privacy.

The height of this proposal is the same as previously proposed under EPF/0384/21 and will be 0.85m higher than the height of the existing bungalow. However, given that this maximum height is at the apex of the hipped roof, results in the design reducing the overall mass of the roof, and will visually move further away from the rear neighbours and reduce in width the higher they reach. It is therefore considered that the proposal will have significantly less impact upon the neighbours in terms of dominance than the dismissed scheme.

Furthermore, the three detached dwellings will replace a 17.76m wide chalet bungalow (not including the single storey extensions) and as a result will break up the solid mass of development on the site to provide two open views through the site. This is a positive feature of the scheme.

The depth of the houses has also been reduced so that they no longer extend beyond the line of the rear elevation of the existing chalet bungalow. The second-floor dormer windows have been removed and the number of first floor windows has been reduced from 8 to 6. The highest point of the first-floor windows has also reduced from 5.28m to 4.93m.

The Design and Access Statement indicates that the finished floor levels will be dropped by 0.27m. This will further reduce the perception of the height of the proposal. It is recommended that further details are conditionally required to ensure that this is the case.

To the rear of the application site, there are two storey dwellings situated within the adopted highway section of The Plain. The rear gardens of the new houses would be 11.74m long and new planting is proposed along the shared boundary. The window-to-window distance between the proposed houses and nearest neighbouring dwelling to the west (rear) would be 22.5m. These distances reflect the layout of development within the surrounding area and therefore are considered acceptable.

The proposed *Betula Jaquemnotii* (Birch) trees can grow up to 15m but are deciduous and therefore given the distance from neighbouring properties to the rear would provide some natural screening from the development without causing excessive loss of light.

It is for these reasons noted that whilst 78 and 80 The Plain have rear gardens which are on lower ground than the application site, the impact to these dwellings will not be excessive in terms of dominance and overlooking. The amendments made are therefore considered sufficient to overcome concerns raised by the Planning Inspector in his dismissal of EPF/0384/21.

The proposed new dwellings would be situated immediately adjacent to a parking area to the north. To the south is a detached bungalow with an attached annexe that forms the shared boundary and extends back to the end of the rear gardens. Whilst upper storey flank windows are proposed in the new dwellings, they serve bathrooms and plans have been annotated to confirm that they will be obscured and fixed shut to a height of 1.7m. This feature can also be required by condition. Due to this there would be no immediate physical impact on the amenities of the immediately adjacent dwellings within this unmade lane.

The distance between the front windows of the proposed dwellings and the rear boundaries of properties in Kingswood Park is some 14m and again would not be considered unacceptable in this location. This distance was also found acceptable by the Planning Inspector.

The distance between the new dwellings and all shared boundaries would be sufficient to ensure that there is no undue loss of light or outlook to neighbouring residents. Some objections have been received about the loss of the existing open view as a result of the development, however there is no right to a view and therefore any loss of such views is not material to the planning merits of the case.

Concerns have been raised about potential additional noise nuisance through the provision of three new dwellings in place of the existing chalet bungalow. Whilst it is accepted that there would be some additional vehicle and pedestrian movements and general activity on the site as a result of the redevelopment, given the context of the site (including the 132 dwellings erected on the adjacent former hospital site), it is considered that this would not cause any significant additional impact.

Concerns have also been raised with regards to disturbance, nuisance and parking problems as a result of construction works, however such matters are not material planning considerations as this harm would only be temporary during the period of construction. Time constraints for construction works can however be secured by way of a condition in order to minimise any detrimental impact on neighbours during construction.

The conditions suggested by neighbour are agreed by the applicant and therefore are recommended to be attached to any permission.

It is for these reasons considered that the revised plans overcome the previous reasons for refusal and dismissal and as such complies with the requirements of policy DM9 (I).

Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

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

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

Recreation activities arising from new residents (recreational pressures); and

Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

Stage 1: Screening Assessment

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

The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Epping Forest SAC SAMM Strategy Partnership Agreement,

has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of this Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently seeks £1852.63 per net additional dwelling from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition, the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Conclusions:

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

Trees

The application was reviewed by the Trees Officer who found the submitted Tree survey and Arboricultural Method Statement demonstrated that the health and stability of existing trees on the site would not be harmed. It is therefore considered that subject conditions suggested by the Trees Officer this application complies with the requirements of DM5 of the Local Plan.

Highways:

Several objections have been raised about insufficient parking provision on the development. The ECC Vehicle Parking Standards requires two off-street parking spaces for any 2+ bed dwelling, which is being provided on the site.

Furthermore, given the location of the site within the urban town of Epping and its proximity to sustainable transport links and various facilities, therefore this provision is considered acceptable.

This section of The Plain is privately owned. Concern has been raised about the detrimental impact that the development would have on capacity and road safety both within The Plain itself and at its junction with Epping Road. Essex County Council Highways have raised no objection to the development. It is not considered that the additional traffic associated with this small development would cause any significant additional harm to traffic or highway safety and as stated above, sufficient off-street parking provision is provided to ensure that there would not be excessive overspill onto on-street parking within the locality.

Furthermore, the Planning Inspectors for the dismissed appeals under reference EPF/1111/19 and EPF/0384/21 made a visit to the site prior to the completion of his decision letter and did not raise any objection to this position.

A condition is required to ensure that an electric charging point is provided for each of the new dwellings to encourage and facilitate the use of electric cars, which would assist in improving air quality within the District in accordance with policy T 1 of the LP.

Ecology

Policy DM 1 of the LP requires that new development avoids harm to existing trees, green infrastructure, precious habitat and species; strengthens the biodiversity assets of the District; addresses the impacts of development on landscape character and geodiversity and provides for open spaces for people and other species to thrive.

A bat survey report dated June 2019 and Preliminary Ecological Appraisal dated March 2019 has been carried out by T4 Ecology Limited who found evidence of bats within the existing building; they therefore recommend further dusk dawn surveys to be carried out by licensed bat worker to determine the extent of the bat population, and whether a European Protected Species Licence is required. If bats are discovered a third survey would be required and mitigation designed accordingly. However given the age of the document, the evidence it contains in regard to other protected species cannot be considered up to date, therefore a pre-commencement condition is recommended which requires that the report is updated and the recommendations of the updated report be implemented.

These requirements should therefore be attached as conditions to any permission to ensure compliance with DM1 of the LP.

The Biodiversity Gain Plan submitted with the application also indicates that there will be a biodiversity net gain of 16.29%, this will predominately be achieved through the planting of two trees at along the rear boundary and two new trees proposed at the front of the property. However again given that the background information on which this plan is based, is out of date this analysis should also be updated. It is on this basis that the proposal meets the requirements of policy DM1 of the Local Plan.

Conclusion:

The revised design addresses the concerns the Inspector raised under EPF/0384/21. It is therefore considered that the proposal has an acceptable design which will not cause excessive harm to the amenity of neighbouring dwellings. Sufficient parking has been provided for this sustainable location and no objections have been raised by the Highways Authority in relation to highway safety.

The proposal therefore complies with relevant planning policy, and it is recommended that planning permission be granted subject to conditions and the completion of a S106 Legal Agreement to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation and a contribution towards measures to mitigate air quality as set out in this report.

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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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



Appeal Decision

Site visit made on 14 November 2023

by **Stuart Willis BA Hons MSc PGCE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 November 2023

Appeal Ref: APP/J1535/W/22/3296440
Wyldingtree, 66 The Plain, Epping CM16 6TW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Manor Properties (Bishop's Stortford) Ltd against the decision of Epping Forest District Council.
- The application Ref EPF/0384/21, dated 25 January 2021, was refused by notice dated 9 March 2022.
- The development proposed is demolition of existing bungalow and construction of 2x pairs of semi-detached houses with associated parking and gardens.
- This decision supersedes that issued on 2 February 2023. That decision on the appeal was quashed by order of the High Court.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Manor Properties (Bishop's Stortford) Ltd against Epping Forest District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Since the refusal of the proposed development, the Epping Forest District Local Plan 2011 to 2033 Part One (LP) has been adopted and has superseded the Epping Forest District Local Plan Adopted July 2006 referred to in the decision notice. The main parties have had opportunity to comment.
4. The effect of the proposal on privacy and light at 78 and 80 The Plain were not included in the refusal reasons. However, they were raised by third parties and the appellant had opportunity to comment on these matters. Therefore, they would not be prejudice by them forming part of the main issues.

Main Issues

5. The main issues of the appeal are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of 78 and 80 The Plain, with particular regard to outlook, privacy, daylight and sunlight.

<https://www.gov.uk/planning-inspectorate>

Reasons

Character and appearance

6. There are a mix of property designs, sizes and spacing in the nearby streets. Properties range from three storey blocks of flats to bungalows. The scale of the appeal property and it being set in from its boundaries with a hipped roof, gives a spaciousness and break in the built form. Although untypical, this contributes positively to the area and is experienced from various public vantage points within The Plain and Kings Wood Park as well as from properties themselves.
7. The proposed properties would fill a large proportion of the plot with only small gaps to the built form either side or between the pairs themselves. This would erode the existing greater spaciousness of this part of the streetscene. Nevertheless, the streets in front and backing onto the site often have relatively small gaps between many of the properties. As a result, the scheme would not be significantly different to that of the more tight-knit layout nearby and the harm would be minor.
8. While taller and with higher eaves than the property they replace and some of those nearby, there are similar height blocks of built form that the proposed dwellings be seen with. There are 3 storey buildings at the B road frontage and other 2 storey properties at The Plain. Kings Wood Park backs on to the site with vegetation between. However, while being semi-detached, the footprint of each proposed pair would not be of a dissimilar bulk and appearance to some of the detached properties with accommodation in the roof space at Kings Wood Park. As such, the massing of the pairs would not be incongruous with the scale of the nearby built form.
9. The external materials would draw on those at the properties already present in the area. Although examples of dormer windows were not frequent in The Plain, they are present, albeit of a different design, at the existing property. Though not in the same street, numerous dormers at Kings Wood Park can be seen from various locations within The Plain and as such, those proposed, would not be an alien feature. Moreover, their size and spacing across the roofs mean they would not appear bulky. There are a variety of roof shapes nearby and no consistency to the roofscape. So, while the external appearance of the proposed properties would not mirror any nearby, they would still not be discordant.
10. Landscape features to the front of the site would be replaced by hard surfaced parking areas. However, frontage parking is not uncommon and already takes place at the site and to a lesser degree elsewhere in The Plain. Were the appeal to be allowed, conditions relating to the retention of landscape features and proposed planting could be imposed.
11. Nonetheless, the proposed development would cause minor harm to the character and appearance of the area. It would therefore be contrary to Policies SP2 and DM9 of the LP where they require schemes to maintain, enhance and respond positively to local character.

Living conditions

12. The existing property has first floor accommodation and the proposal would not substantially increase the maximum height of the built form at the site.

Nevertheless, the proposed pairs of properties would fill much more of the width of the site. This would result in a significant expanse of built form stretching across much more of the plot, especially at upper floor levels than the existing dwelling. Moreover, the proposed dwellings would be positioned closer to 78 and 80 The Plain with gable rather than partly hipped roofs.

13. These factors, along with the steeper sloping rear roof slope, crown roof and higher eaves, would result in 2 imposing blocks of built form as experienced from the gardens of 78 and 80 The Plain. Currently the lower height and greater set in from the boundaries of the site means there is an outlook either side and beyond the appeal property even with lower ground levels behind. In contrast, having visited them, from the rear garden and rooms at 78 and 80, whose windows face directly towards the appeal site, the proposed properties would become the dominant feature. Even if existing boundary features were retained, and with future planting that would take time to mature, the scheme would result in an oppressive and unacceptable outlook for the occupiers of these properties.
14. The existing rear first floor windows at the appeal site facing 78 and 80 The Plain result in some degree of overlooking into their gardens and rear rooms. Some overlooking also takes place from the 3 storey properties nearby. However, these are more distant or angled than the first and second floor windows proposed. The appeal scheme would introduce additional windows, across more of the site and at a higher level with the dormers. As the rear first and second floor windows serve bedrooms, it would not be appropriate to require them to be obscure glazed and non-opening. Along with the position of the proposed dwellings, the appeal scheme would cause additional overlooking at a closer distance and greater height over and between boundary treatments and landscape features. The scheme would result in an unacceptable reduction of privacy for the occupiers of 78 and 80 The Plain.
15. Given the orientation of the existing and proposed properties and the direction of travel of the sun, the effect on sunlight, would be limited to later in the day. Although wider, the height of the properties would not be substantially different from the existing one. There would be some reduction in sunlight and daylight reaching the rear of the adjacent properties and their gardens at certain times of the day and year. However, I saw that the existing property, others nearby and the existing landscape features already cause shading at the rear of the properties behind. Consequently, given the separation distances involved, the proposal would not lead to excessive loss of daylight and sunlight at 78 and 80 The Plain.
16. Nevertheless, the proposed development would significantly harm the living conditions of the occupiers of 78 and 80 The Plain with regard to outlook and privacy. It would be contrary to Policy DM9 of the LP where it seeks to protect the quality of amenity.

Other Matters

17. The effect on the living conditions of the occupiers of nearby properties was not a reason for dismissing the first appeal at the site¹. Such considerations and the views from the streetscene of the gaps/spacing between buildings were not

¹ APP/J1535/W/19/3239786

specifically addressed by that Inspector. Therefore, my findings on these matters are not inconsistent with the previous appeal decision.

18. That the Council made their decision against the officer recommendation does not alter my findings.

Planning Balance

19. The LP was adopted in March 2023 and therefore, in line with footnote 40 of the Framework is no longer considered a recently adopted plan with regard to paragraph 75 of the Framework for demonstrating a five-year supply of deliverable housing sites, with the appropriate buffer. The evidence before me indicates that historic completions have primarily been below the average housing requirement set out in the development plan.
20. Notwithstanding this, there is no compelling evidence before me that the Council are currently unable to demonstrate a five-year supply of housing sites. In any event, the Housing Delivery Test figure, at 35% means that paragraph 11d of the Framework is engaged.
21. There would be economic and social benefits from the additional supply of housing and from the build and occupation of the properties. Given the scale of the scheme and in light of the delivery figures above, such benefits would be moderate.
22. Even if I were to agree there was no harm with regard to highway safety, biodiversity, and that the site is in an accessible location with appropriate space for future occupiers, a lack of such harm would only be a neutral factor.
23. During the appeal a planning obligation was submitted relating to contributions towards mitigation measures relating to the effects on the Epping Forest Special Area of Conservation (SAC). The planning obligation has not been dated. However, notwithstanding the planning obligation, there is no need to consider the implications of the proposal on the protected site because the scheme is unacceptable for other reasons. In any event, a satisfactory planning obligation to secure mitigation for effects on the SAC would only be a neutral factor.
24. I have found there would be minor harm to the character and appearance of the area and significant harm to the living conditions of certain nearby occupiers. The policies that the scheme conflicts with are broadly consistent with the National Planning Policy Framework (Framework). As such, and due to the degree of harm I have identified, I give the conflict with these policies minor (character and appearance) and substantial (living conditions) weight. The proposal conflicts with the development plan as a whole.
25. The proposal would align with the aim of the Framework to significantly boost the supply of housing. It would accord with the economic policies of the Framework from the build and occupation of the dwellings and where it recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Taking account of the scale of the scheme and the delivery figure, such benefits would be moderate. It would conflict with the Framework where it requires schemes to be sympathetic to local character and a high standard of amenity for existing users. These conflicts attract minor and substantial weight respectively.

26. Even with the level of shortfall in delivery and any possible lack of supply, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the scheme does not benefit from the presumption in favour of sustainable development as set out in the Framework.

Conclusion

27. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

28. Therefore, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

Conditions: (21)

- 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 in accordance with the following approved plans:
3037/01, 3037/10A, 3037/11A, 3037/12A, 3037/13A, 3037/14A, Design and Access Statement, Phase 1 Geo-Environmental Desk Study and Preliminary Risk Assessment by Brown 2 Green 2263/Rpt 1v2 February 2024, Soft Landscaping and Planting Specification, Arboricultural and Impact Assessment by Moore Partners 07/03/24, MP/66PLA/01, MP/66PLA/02, Report to inform Habitat Regulations Assessment 29/2/24 by Arbtech, Preliminary Ecological Appraisal incorporating Bat Survey Inspection March 2019 and Bat Survey Report Ltd June 2019 by T4 Ecology Ltd, Annex Baseline Map, Biodiversity Net Gain metric spreadsheets, Biodiversity Net Gain Plan.

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

- 3 Prior to preliminary ground works taking place, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of 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.

- 4 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.

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

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 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.

- 7 Hard and soft landscaping shall be implemented as shown on Moore Partners Ltd 'Landscape Plan' drawing number MP/66PLA/02 (dated 08/03/2024); and the accompanying planting schedule. The works shall be carried out prior to the occupation of the building or completion of the development. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policies DM3 and DM5 of the Epping Forest District Local Plan 2011-2033, and the NPPF 2023.

- 8 Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints / Protection Plan' drawing number MP/66PLA/01 (dated 07/03/2024) 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 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 policies DM3 and DM5 of the Epping Forest District Local Plan 2011-2033, and the NPPF 2023.

- 9 Prior to the commencement of any works a bat scoping survey should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to the Local Planning Authority for approval.

Should the surveys reveal the likely presence of bats or their breeding sites or resting places then dusk /dawn surveys should be undertaken in accordance with guidelines available from Natural England (or other relevant body) and submitted to the Local Planning Authority for approval. Should the survey reveal the presence of bats, or their breeding sites or resting places an appropriate and proportionate detailed mitigation and

compensation strategy must be written in accordance with any guidelines available from Natural England and submitted to EFDC for approval.

Should a Natural England European Protected Species Licence (EPS) be required then this should also be submitted to EFDC for approval. The licence will get granted if the activity conforms to the Habitats Regulations Regulation 53 Three Stage Test and Local Authority planning consent has been granted. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: In order to conserve protected species or their breeding sites, or resting places in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 The submitted Preliminary Ecological Assessment submitted with the application is out of date, therefore further ecological surveys shall be commissioned to:
- i. establish if there have been any changes in the presence and/or abundance of protected species
 - ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby approved.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence.

Reason: To allow the local planning authority 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 Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and policy DM1 of the Adopted Epping Forest District Local Plan (2023) . This is required to be a pre-commencement condition as otherwise there would be a risk of harm to important wildlife habitat and species.

- 11 No development shall take place until an Ecological Design, Management and Monitoring Strategy (EDMMS) for the provision of a minimum 10% biodiversity net gain has been submitted to and approved in writing by the local planning authority. The EDMMS shall include the following:

- a. Description and evaluation of habitat/features proposed (to include full Metric (using most current version) and details of condition assessments).
- b. Identification of adequate baseline conditions (for management and monitoring purposes) prior to the start of works (to include full Metric (using most current version) and details of condition assessments).
- c. Aims and objectives for the proposed works.
- d. Site specific and wider ecological trends and constraints that might influence works.
- e. Details of the body/ organisation/ person/s responsible for undertaking the works and lines of communication.
- f. Details of the legal and funding mechanism(s) by which the implementation of the EDMMS will be secured by the developer with those responsible for its delivery.
- g. Detailed design and/or working methods to achieve stated objectives including type/source of materials, disposal of any wastes arising from works and appropriate scale plans showing location/area of proposed works.
- h. Works Schedule, aligned with any proposed phasing and including an annual work plan capable of being rolled forward over a five-year period.
- i. Prescriptions for initial aftercare and long-term management that will ensure the aims/objectives are met.
- j. Details for on-going monitoring in years 2, 5, 10, 15, 20, 25 and 30, including:
 - Appropriate success criteria, thresholds, triggers, and targets against which the effectiveness of the work can be measured.
 - Methods for data gathering and analysis.
 - Location, timing, and duration of monitoring
 - Review, and where appropriate, publication of results and outcomes, including when monitoring reports will be submitted to the local planning authority.
 - How contingencies and/or remedial action will be identified, agreed with the local planning authority, and implemented so that the original aims/objectives of the approved scheme are met.

The EDMMS shall be implemented in accordance with the approved details and all habitats/features shall be retained in that manner thereafter.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021 and policy DM1 of the Adopted Epping Forest District Local Plan

(2023) . This is required to be a pre-commencement condition by virtue of schedule 7A to the Town and Country Planning Act 1990.

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

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.

- 13 The solar panels shall be installed in accordance with the details shown on plan numbers 3037/10, 3037/11, 3037/12, 3037/13 and 3037/14 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To promote sustainable building design in accordance with Policies SP2, DM 9 and DM20 of the Epping Forest District Council Local Plan Submission Version 2017.

- 14 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed per dwelling in accordance with the details shown on plan 13 A 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.

- 15 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with Policies D5, DM2, DM9 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 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.

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

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

- 18 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 Classes A, B and E of Part 1 to schedule 2 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 and appearance of the area and living conditions on adjoining properties in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 19 Prior to first occupation of the building/extension hereby permitted the window(s) in the southern flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum Pilkington privacy level 3 obscurity (or equivalent), 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 at these specifications 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.

- 20 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.

- 21 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.

Informatives: (2)

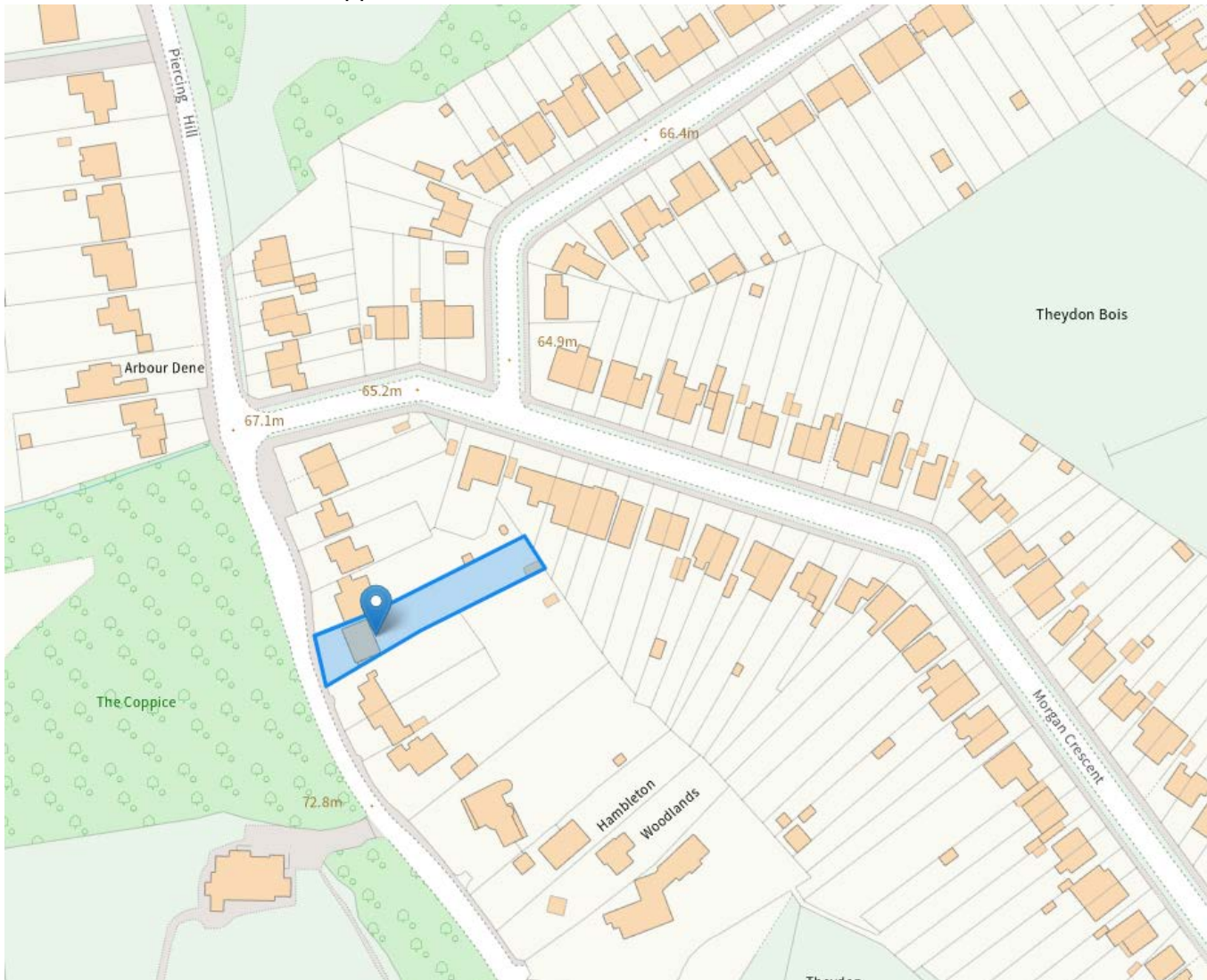
- 22 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 23 Where existing buildings may contain Asbestos Containing Materials (ACM's):-
The applicant is required to ensure that all contractors involved in the demolition and site clearance works are aware of the requirements of the Control of Asbestos at Work regulations 2012. It is essential that an asbestos survey is undertaken and where ACMs are discovered, risks are appropriately managed, ensuring safe removal and disposal offsite by Specialist contractors in accordance with good practise and current HSE guidance. Further, it is the Responsibility of the developer to ensure measures are put in place to prevent contamination of the soils during such works. Evidence may therefore be required by The LPA as part of the contaminated land condition to show that any ACMs, identified following a required asbestos survey, have been appropriately disposed from site.

Agenda Item 9

OFFICER REPORT

Application Ref: EPF/1552/23
Application Type: Householder planning permission
Applicant: Mr Philip Jordan
Case Officer: Caroline Brown
Site Address: 7A, Piercing Hill, Theydon Bois, Epping, CM16 7JN
Proposal: This application relates to a previous application ref number EPF/1873/22 approved on the 15th December 2022. The approved scheme has been amended and been reduced the size by removing the lower ground floor. The upper ground floor remains as approved. The application is therefore for an amendment to the current planning permission. *** AMENDED PLAN - Side screen panels have been added to the proposed ground floor rear terrace ***

Ward: Theydon Bois
Parish: Theydon Bois
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Woop>
Recommendation: Approve with Conditions



The application is before this committee since the recommendation is for approval contrary to an objection from a Local Council on planning grounds material to the application. (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

No. 7A Piercing Hill is a large, detached chalet bungalow with front and rear dormers located to the east of Piercing Hill which is residential in character comprising of predominantly 2- storey detached dwellinghouses sited in large plots.

The topography of the site is where the land slopes down from the rear of the property towards the rear garden boundary.

The property lies outside of a conservation area and is not listed.

Proposed Development

Planning permission was approved in October 2022 ref: EPF/1873/22 for a 6m deep single storey lean to ground level rear extension and terrace with brick enclosure on each side and a lower-level rear terrace area.

This application is seeking an amendment to the approved scheme involving the :

- Removal of the lower ground floor.

- The ground floor rear timber terrace projecting out from the rear extension has been reduced in width by 4m from the north flank elevation of the property and the sides replaced with side privacy screen panels at a height of 1.8m taken from the floor level of the terrace to protect the privacy of the adjoining properties.

Relevant History

EPF/1873/22 - single storey ground level and lower-level rear extension, patio, and terrace area, to a private house - Approved 14/12/22.

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Epping Forest District Local Plan was adopted in March 2023.

The following table lists the relevant policies to the determination of this application and officers' recommendation regarding the weight to be accorded.

DM9 High Quality Design DM10 Housing Design and Quality.

The National Planning Policy Framework (December 2023)

CONSULTATIONS CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Theydon Bois Parish Council - Objection will attend Committee to speak.

- The amendment comprises the addition of side screen panels to the proposed rear terrace, which would be elevated above ground level.
- The Committee notes that this proposal is an amended scheme to that approved under planning application EPF/1873/22. The Parish Council did not submit an objection to EPF/1873/22, however that non-objection was subject to a request that EFDC Development Services conducted a site visit to establish whether ground levels on the site may cause the development to have any negative impact on the amenity of occupants of its neighbouring properties.
- The basement extension referenced above has been removed from this current application. However, the proposed ground floor terrace - which, under EPF/1873/22, was enclosed on both side elevations by the brick-built superstructure of the proposed basement extension beneath – was under the original plans for this current application EPF/1552/23 enclosed by a 'low iron glass balustrade'. This raised the possibility of overlooking from the terrace across boundary fence lines into neighbouring properties – particularly into 8 Piercing Hill which is set at a lower level to 7A Piercing Hill.

7 adjoining neighbours notified: No responses.

Main Issues & Considerations:

The main issues relate to:

- Design, scale, character and appearance.
- Impact on neighbouring Amenity.
-

Impact on the character and appearance of the property and the surrounding area

Epping Forest adopted Local Plan Policies seek to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining, and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

Planning permission has been approved for a lean to 6m deep single storey rear extension and rear terrace enclosed with brick side elevations.

The proposed amendment to the approved scheme involves the removal of the basement and a reduction in the width of the rear terrace with the replacement of the rear terrace by side privacy screens.

The amendments reduce the width of the rear terrace and an overall reduction in the bulk of the extension. The amendments are considered of a satisfactory design and scale that responds to the character and appearance of the existing property and surrounding area and complies with policy DM9 and DM10 of the adopted Local Plan, (2011-2033).

Impact on Neighbours' Amenities

The land slopes down from the rear of the property towards the rear garden boundary to properties in this section of Piercing Hill. No. 7 comprises of a large 2 storey dwellinghouse well set in from the shared side boundary with no. 7A with a dense high hedgerow on the shared boundary that forms the full depth of the rear garden.

No. 8 also comprises of a large 2 -storey detached dwellinghouse that has a rear extension built to the north, rear of the property.

The proposed development seeks an amendment from the previous approval involving a reduction in the width of the rear terrace by over 5m from the shared boundary with no. 8. Although the originally approved brick enclosure to the side elevations of the proposed rear terrace have been replaced by side privacy screens at a height of 1.8m from the floor height of the proposed terrace this would prevent overlooking and a loss of privacy to the neighbouring properties.

The comments made by the Town Council are noted. A larger, wider proposed rear terrace has already been approved to the property and the amendments involving a reduction in the bulk and width of the rear terrace which would be set in further from the shared boundary with no.8 is considered a proportionate addition that would not result in any harm to the living conditions of adjoining properties subject to appropriate conditions to prevent overlooking. Furthermore, neither neighbouring property have raised any objection to the proposal.

Overall, it is therefore considered that the separation distance and siting of the privacy screens would ensure that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DM9 of the adopted Local Plan (2011-2033).

Conclusion

Having regard to all matters, the development is considered of an appropriate design, scale and siting that is in keeping with the character and appearance of the dwelling and surrounding area and which maintains an acceptable level of amenity to adjoining properties and is supported by the policies of the adopted Local Plan (2011-2033) and the NPPF, 2023. In the light of the above considerations, it is recommended that planning permission is approved subject to conditions.

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

Planning Application Case Officer: Caroline Brown

Direct Line Telephone Number: 01992 564182 or if no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (5)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 416-04-312 -CO Rev 03; 416-EX-10A;15B, 16

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

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse.

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.

- 3 Prior to the first use of the ground floor rear terrace, side privacy screens, (no lower than 1.7m high from the floor level of the terrace) shall be implemented in accordance with drawing no. 416-04-312-CO Rev 03 and retained permanently thereafter.

Reason: To safeguard the amenity of neighbouring residential occupiers in accordance with the guidance within the NPPF and policy DM9 of the adopted Local Plan, (2011-2033), 2023.

- 4 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.

- 5 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.

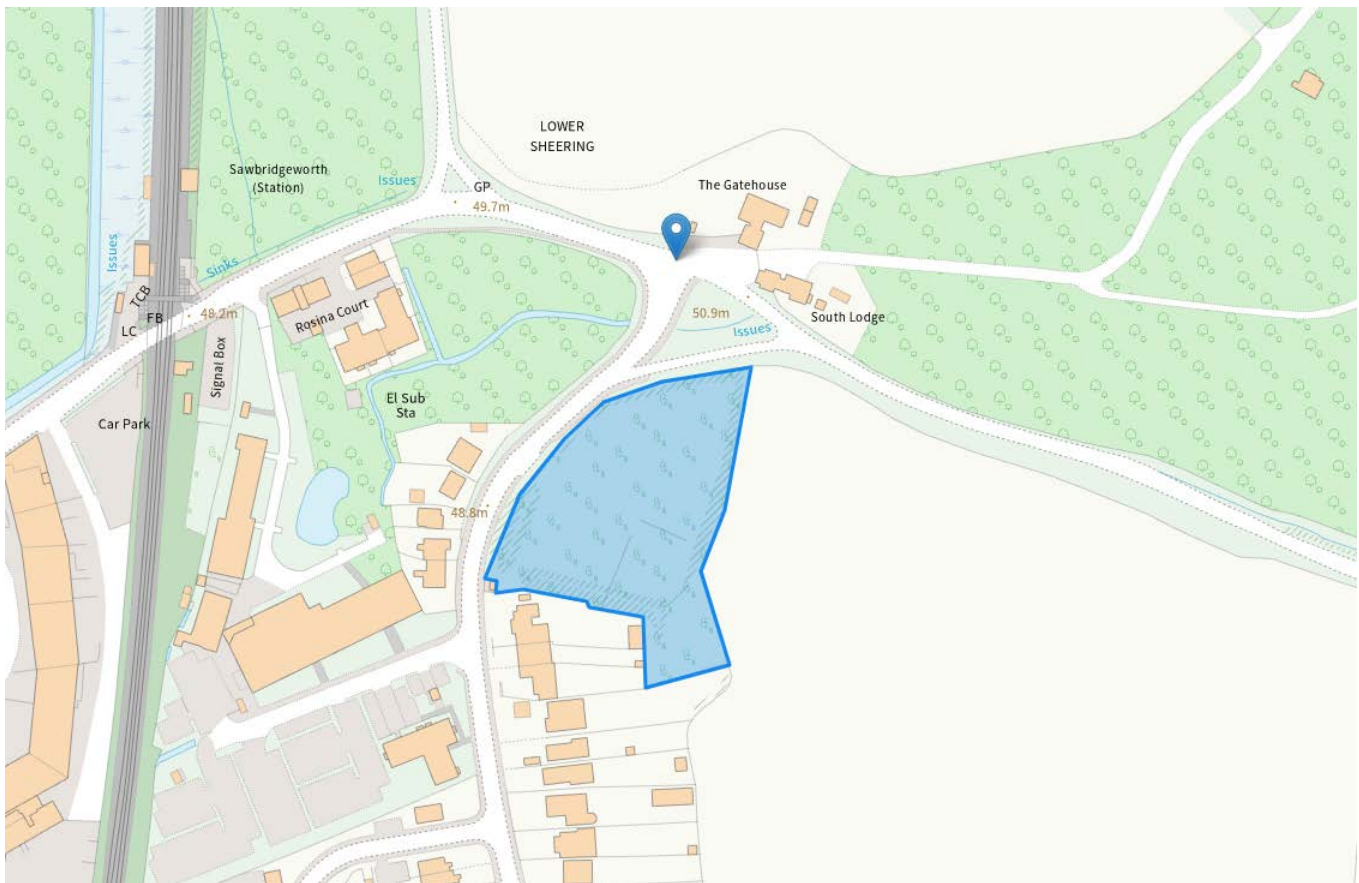
Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 6 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.

OFFICER REPORT

Application Ref: EPF/0450/24
Application Type: Outline planning permission: Some matters reserved
Applicant: The Watt Sisters
Case Officer: Muhammad Rahman
Site Address: Land East of Sheering Lower Road, Sheering Lower Road, Lower Sheering, CM21 9LQ
Proposal: Outline planning application with all matters reserved except for access for the erection of 9 dwellings and associated parking and landscaping (Allocated Site - Ref: LSHR.R1)
Ward: Lower Sheering
Parish: Sheering
View Plans: <https://eppingforestdcp.force.com/pr/s/planning-application/a0hTv0000003G1p>
Recommendation: Approved with Conditions (Subject to s106 Legal Agreement)



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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 is located on the corner of Sheering Lower Road and Sawbridgeworth Road within the area of Lower Sheering and is 0.63Ha in size. The site is not within the Green Belt or a Conservation Area, nor are there any listed buildings or Protected trees on site.

The site is allocated for residential development within the adopted Local Plan for approx. 14 dwellings (Site Ref: LSHR.R1).

Proposal

Outline planning application with all matters reserved except for access for the erection of 9 dwellings and associated parking and landscaping.

Relevant Planning History

None.

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:

SP1	Spatial Development Strategy 2011-2033
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport Choices
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 on New Development
DM15	Managing and Reducing Flood Risk
DM16	Sustainable Drainage Systems
DM17	Protecting and Enhancing Watercourses and Flood Defences
DM18	On Site Management of Wastewater and Water Supply
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality
P12	Lower Sheering
D1	Infrastructure

Paragraph 11
Paragraphs 131 & 135
Paragraph 186

Summary of Representations

Number of neighbours Consulted: 201. 9 response(s) received
Site notice posted: Yes

86, 117, 161a, 165 & 167 SHEERING LOWER ROAD, WATERSIDE PLACE, 30 PRIORS COURT, 2b LADYWELL PROSPECT & 7 ROSINA COURT – OBJECTIONS – Summarised as:

- Traffic/Congestion Concerns;
- Pedestrian/Highway Safety Concerns;
- Increased Pressure on Local Infrastructure;
- Out of Keeping with area/Overdevelopment;
- Heritage Impacts;
- Drainage Concerns;
- Noise/Air Pollution;
- Overlooking/Loss of Privacy;
- Visual impacts; and
- Impacts on Local wildlife/Habitats.

SHEERING PARISH COUNCIL – The Parish Council wishes to note that it objects to the above Planning Application.

1) Flooding - The local plan comments as shown above note that the site has been identified as at risk of surface water flooding. Although a further Road gully has been added in Sheering Lower Road, the system is still overloaded causing some local flooding at the proposed junction for the new development with Sheering Lower Road.

2) Highways - The entrance to the new development is very close to the slip lane from Hatfield Heath Road and needs further consideration by the Highways designers owing to the poor visibility on that corner.

Planning Considerations

The application has been submitted in outline with all matters, except for access, reserved for subsequent determination. As such the scope of the proposal is limited to consideration of the principle of the development and the access. Matters relating to scale, appearance, layout, and landscaping are to be fully assessed via a future reserved matters application(s).

The proposal would utilise the existing access and whilst the parking spaces are indicated on the plans, these are merely indicative since layout is a reserved matter and would be considered subsequently if outline planning permission is granted. In terms of the proposed access, it is clear that it can accommodate the scale of the proposed development and would not harm the safety or operation of the highway network. The Highways Officer has raised no objections subject to recommend conditions.

Officers note the concerns raised by local residents, however; no substantive evidence has been provided to reach a different conclusion. It must be acknowledged that the site is allocated for residential development within the adopted Local Plan.

Therefore, the remaining issues for consideration in this case are:

- a) Have the site-specific policy requirements been satisfied with regards to;
 - a. Flood Risk;
 - b. Ecology;
 - c. Heritage; and
 - d. Green Belt Boundary
- b) The impact on the Epping Forest Special Area of Conservation; and
- c) Planning Obligations.

Site Specific Policy Requirements

Policy P12 of the adopted LP sets out the following site-specific requirement for this allocated site, which are;

Flood Risk

A. The site has been identified as being at risk of surface water flooding. The design and layout of any development proposals should reduce the vulnerability and consequences of surface water flooding to the site and its surroundings. In order to achieve this, development proposals should incorporate appropriate surface water drainage measures having regard to the Environment Agency Risk of Flooding from Surface Water Maps (RoFSW).

Ecology

B. Development of the site may indirectly affect the Deciduous Woodland Priority Habitat. Development proposals should demonstrate that they have assessed any impacts of the proposal on this site of ecological importance in accordance with the requirements of Policy DM1. They should demonstrate that they have sought to avoid any adverse impact on the Deciduous Woodland Priority Habitat; where such adverse impacts are unavoidable, they should be addressed in accordance with the requirements of Policy DM1.

Heritage

C. Development may impact upon the setting of the Grade II* Listed Lodges at the Southern entrance to the Park of Great Hyde Hall. Proposals that may affect the setting of these heritage assets should preserve or wherever possible, enhance the assets' significance, having regard to their special architectural or historic interest, character, appearance, and the contribution made by their setting.

D. The site is located adjacent to the Lower Sheering Conservation Area which is listed on the Heritage at Risk Register. Development proposals should preserve or enhance the setting, including views in and out of the Conservation Area. In doing so, consideration should be given to layout, development form, density, height, scale, massing, and materials, in order to mitigate any impact on the Conservation Area.

Green Belt Boundary

E. An existing feature in the landscape should be used as the new defensible boundary to the Green Belt. As part of the development proposals the existing feature along the Eastern edge of the site will need to be strengthened.

With regards to Flood Risk.

The Councils Drainage Team and Essex County Council SuDs Team (Lead Local Flood Authority) have reviewed the submission and are satisfied that that proposal would not lead to increased flood risk

within the site itself and its surroundings. Further details are to be progressed at the approval of conditions stage.

Furthermore, it is acknowledged that the site is identified as being within the Lower Sheering Critical Drainage Area, as referred to in the Lower Sheering Surface Water Management Plan published in July 2020 by Essex County Council.

On this note, Policy DM15 Part G states; Proposals for developments within identified Critical Drainage Areas could, based on the outcome of the site-specific flood risk assessment, be subject to securing the delivery of appropriate flood alleviation schemes either on-site or by way of a financial contribution.

Essex County Council are currently in the process of exploring a flood alleviation scheme which would address the wider flooding concerns raised by local residents and the Parish. Whilst a request has been made to secure some additional funding towards this study by the Councils Drainage Team, however, it is currently at an early stage and will take some time to come to fruition and the full details known. Thus, In Officers opinion, this element is not required to make the scheme acceptable in planning terms in line with the Community Infrastructure Levy Regs & Paragraph 57 of the NPPF 2023.

Overall, Officers are satisfied subject to conditions this proposal satisfies the site-specific policy requirements in this regard.

With regards to Heritage Impacts.

Give the application is for outline with all matters reserved except for access, this matter is to be fully assessed at the reserved matters stage where, layout, landscaping, scale, and appearance of the dwellings will be considered. Too add, the Councils Conservation Team have provided the following comments below;

The site falls within the setting of designated heritage assets: the Lower Sheering Conservation Area and the cluster of Grade II Listed maltings, and more particularly: The Maltings (that part to the east of the railway, south block), List Entry Number:1111368, now converted into residential units.

However, the information submitted pertains solely to access, associated parking, and landscaping, providing limited scope for conservation comments.

With regards to Ecology, Trees, and the Green Belt Boundary.

The submissions recognise a number of assets exist within the site in landscape and ecological terms. This includes a range of existing trees and extended natural environments which may include nesting sites for bats and birds etc, and the likelihood that other ground foraging fauna exist.

Opportunities for biodiversity enhancement evidently exist and will form a key component of the of the wider site, likely to include new habitats.

The broad principles established in the Preliminary Ecological Assessment and Supporting surveys are accepted by Officers and ECC Ecology Team, and the Councils Tree Team, and further details can be progressed at the reserved matters stage, along with suitably worded planning conditions.

In addition to above, it is a policy requirement as part of the proposed allocation to provide a new, defensible Green Belt boundary on the Eastern edge of the site. The applicant intends to do this through landscaping. This is an appropriate approach given the context of the site. It is concluded that further details of this landscaping are required and this can be secured through condition as set out in the Tree Teams Comments.

Epping Forest Special Area of Conservation

A large part of the Epping Forest contains a Special Area of Conservation (EFSAC) which has been identified primarily for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. As an internationally important site it is afforded the highest level of protection due to its habitats and species that are vulnerable or rare within an international context.

The Council, as a competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and Policies DM2 & DM22 of the Epping Forest District Local Plan 2011 – 2033 has a duty to ensure that plans and projects for whose consent it is responsible will not have an adverse effect on the integrity of these designated sites either alone or in-combination with other plans and projects within the adopted Local Plan.

The Council has identified two main issues (known as ‘Pathways of Impact’) that are currently adversely affecting the health of the Epping Forest.

The first is recreational pressure. Surveys have demonstrated that most visitors live within 6.2km (Zone of Influence) of the Epping Forest. As new residential development within 6.2km is likely to result in more people visiting the Epping Forest on a regular basis this will add to that recreational pressure.

The second issue is atmospheric pollution which is caused primarily by vehicles travelling on roads in close proximity to the Forest emitting pollutants (Nitrogen Dioxide and Ammonia). Development proposals (regardless of their type, size, and location within the District) which would result in even an increase in just one additional vehicle has the potential to contribute to increases in atmospheric pollution within the Epping Forest.

Stage 1: Screening Assessment

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

1. The site lies outside the 0-3km / 3-6.2 km Zone of Influence as identified in the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. Consequently, the development would not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

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

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an ‘Appropriate Assessment’ of the application proposal in relation to atmospheric pollution.

Stage 2: ‘Appropriate Assessment’

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of the Air Pollution Mitigation Strategy (APMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the APMS. The applicant has agreed to make a financial contribution in accordance

with the APMS. In addition, the application will be subject to planning conditions (EVCP/Broadband) to secure measures as identified in the APMS. Consequently, the Council is satisfied that the proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Planning Obligations

It is recognised that new developments have potentially greater impacts on the wider environs beyond the site-specific matters considered above. The Infrastructure Delivery Plan establishes the broad mechanism by which such matters can be resolved through appropriate contributions to improve local services and facilities to meet the increased needs placed on them by increased demand arising from development. Additional information from key service providers will inform the local requirements.

In the event that planning permission is granted a s106 legal agreement would be required to secure the following financial contributions below.

For clarity, Officers are satisfied that the obligations below are necessary to make the development acceptable in planning terms, that they are directly related to and are fairly and reasonably related in scale and kind to the development, and so meets the tests set out in paragraph 57 of the Framework and the CIL Regulations 2010.

1. Open Space

1. Improvement and maintenance towards lower sheering playfields and children play areas = £18,706

2. The Provision of public open space including a Management Plan and Details and arrangements of the Management company will be required.

2. EFSAC Mitigation (Air Quality) = £3,015 (£335 per dwelling)

Total = £21,721 + Additional Payment of Monitoring Fees @ 5% of Total Costs = £1,086.05

Other Considerations

Whilst the proposed allocation seeks approximately 14 new dwellings on the site, the proposal is for 9. These smaller allocation sites are rightly expressed as 'approximate' numbers on smaller scale allocations in the adopted Local Plan to reflect that the number may fluctuate slightly due to site constraints. In this case, there are number of green assets across the site along with the changes in ground levels on the eastern part of the site as shown on the indicate site layout plan. In such circumstances it is concluded that the 35% reduction proposed is compliant with the proposed allocation in terms of housing numbers.

In terms of the concerns raised by local residents, some of these matters are to be fully assessed at the reserved matters stage.

Planning Balance and Conclusion

In summary, the proposal satisfies the site-specific policy requirements; will relate positively to the locality, the safety operation of the highway network, and trees/ecology. There would also be benefit to the local economy from the construction and occupation of the homes and further contributions towards services such as open space.

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC and identified obligations including additional payment of monitoring fees.

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

Conditions: (20)

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 2 Prior to commencement of the development, details of the layout, scale and appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to the Local Planning Authority for approval before the expiration of three years from the date of this permission, and the development shall be carried out in accordance with the details so approved.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 207420 OLP 001 and 1007.007.001 Rev P04.

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

- 4 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.

- 5 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.

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

1. The parking for 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. Wheel washing.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
7. A scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution.
8. Dust suppression methods and kit to be used.
9. Bonfire policy.

10. Confirmation that all Non-Road Mobile Machinery (NRMM) comply with emission Stage IIIB as a minimum.
11. Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation.
12. Site plan identifying location of:
 1. The parking for 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. Site entrance and exit
 5. wheel washing
 6. hard standing
 7. hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting)
 8. stockpiles
 9. dust suppression
 10. dust monitoring
 11. location of water supplies and
 12. location of nearest neighbouring receptors

The details and measures contained in the approved construction management statement must be fully implemented to the Council's satisfaction throughout the demolition and construction period.

Reason: Noise, General Disturbance, Ground Pollution, Dust and Other Air Pollution from demolition and construction works can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. To limit the impact of the construction work on the living conditions of residents living in close proximity to the site and to help support improvements to air quality in accordance with Policies, T1, DM9, DM21 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 Prior to preliminary ground works taking place, details of surface water disposal and flood mitigation measures 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.

- 8 Prior to any above ground works, A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal (Biome Consulting, February 2024). 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;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and 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 2023 and s40 of the NERC Act 2006 (as amended), in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

1. Location of active and passive charging infrastructure;
2. Specification of charging equipment; and
3. Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 1. Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 2. How charging point usage will be charged amongst users;
 3. The process and the triggers for identifying when additional passive charging points will become activated; and
 4. 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, DM2 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 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.

- 11 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with Policies D5, DM2, DM9 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 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.

- 13 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Biome Consulting, February 2024) prior to the occupation of the development hereby approved, and so retained.

Reason: To maintain and improve the biodiversity of the site and to mitigate any impact from the development hereby approved, in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 The proposed dwelling(s) hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households, in accordance with Policy H1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers, and/or Oyster Cards, for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport. The above measures are to ensure that this proposal is not contrary to 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.

- 16 Prior to first occupation of the dwellings hereby permitted a lighting design strategy for biodiversity, detailing that no external artificial illumination of the boundary trees, hedgerows and watercourse will occur, shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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), in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 17 Prior to the first occupation of the development, the proposed vehicular access shall be constructed as shown in principle with submitted drawing number 1007.007.001 Rev P04. The proposed carriageway to be a width of 5.5m with a 2m footway and 6m kerb radii at its junction with Sheering Lower Road.

Reason: In the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 18 Prior to the first occupation of the development, the access at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 46 metres to the South and 2.4 metres by 41 metres to the North, as measured from and along the nearside edge of the carriageway and shown on the submitted drawing number 1007.007.001 Rev P04. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 600mm at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction/access and those in the existing public highway. The above measures are to ensure that this proposal is not contrary to 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.

- 19 Prior to first occupation of the proposed development, details of a suitable pedestrian crossing point on Sheering Lower Road to be provided within the vicinity and to the North of the proposed site access, including but not restricted to dropped kerbs and tactile paving shall have been submitted to and approved by the LPA. Thereafter the development shall be carried out in accordance with the approved details and provided in full prior to first occupation of the development hereby approved and so retained.

Reason: To make adequate provision within the highway for pedestrians to cross the carriageway in the interest of highway safety and promoting sustainability in accordance with policy DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 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.

Informatives: (3)

- 21 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.
- 22 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.
- 23 As the site is at risk of surface water flooding, it is recommended that the applicant refers to the EA's flood risk standing advice.