

**Environment Agency  
18 August 2021**

The previous land use at these sites suggests the potential presence of contamination. As the sites are situated in a vulnerable groundwater area within on a secondary aquifer these proposals need to be dealt with in a way which protects the underlying groundwater. Please therefore take note of the following advice.

Where land contamination may be an issue for a prospective development we encourage developers to employ specialist consultants/contractors working under the National Quality Mark Scheme.

**Epping Forest District Council – Environmental Health Air Quality  
17 August 2021**

This development will contribute to a small (or as the assessment defines – negligible) increase in local air pollution in terms of nitrogen dioxide levels. In the case of our air quality management area (AQMA), the increase is classified as slight. The concern with this is that it will contribute to a creeping baseline in terms of local air quality, and slowly increase pollution concentrations instead of reducing them as desired by DM22 and NPPF.

Whilst this is a revised version of an already approved assessment, there are aspects of the revised assessment that I question.

I note that this revised air quality assessment used updated traffic data that included data from 2020. Had this been consulted on prior to the revised report being produced, I would have asked that the consultant exclude this data as traffic data during COVID is not representative.

I also note that both the first and revised air quality assessment used Defra background data rather than the background diffusion tube which is located close to the sites. Had this been used instead, the results would have shown higher pollution concentrations as the monitored tube has a higher background concentration than the Defra map which are modelled/predicted levels. The justification to not use our background tube was that they wanted to avoid double counting from emissions from the High St, however, as a background site this is representative of background levels in the area and would have been preferred as a background concentration.

Table 9.13 which looks at the pollution concentrations in 2025 with the Project + St John's, Civic Offices and Sports Centre (cumulative) is misleading as the total pollutant concentration in 2025 for all five sites is less than the pollutant concentrations for just the Cottis and Bakers Lane sites in table 9.10. This suggests either an error or possibly different emission factors being used in table 9.13. It is therefore difficult to assess what the actual cumulative impact of the full five sites on air quality will be. This is something that we had requested from the consultant in our initial methodology discussions.

With regards to vehicle emissions, it had been highlighted to the consultant that the work done for the SAC identified that the vehicle fleet used around the SAC was older than the national average. This was not discussed in the revised assessment and it would have been beneficial for the consultant to include in detail how they addressed this issue in their revised assessment. I acknowledge that a sensitivity test was conducted, however it was presented in table 9.3.1 in a confusing way and had errors that the air quality consultant in later discussions acknowledged. The

report said the sensitivity test would assume no improvement in vehicle emissions beyond 2021, however, the consultant acknowledged that 2025 without used 2025 emission factors.

I also question why multiple years were used in the baseline part of the assessment (2021 background data, 2019 monitoring data, 2019 MET data and 2019/2020 traffic data) instead of one base year.

Technical Appendix 9.4 Emissions Mitigation Assessment does put forward mitigation measures, however, the assessment does not state how much of a pollution offset these measures will provide. Additionally, as some of these mitigation measures will be under the jurisdiction of other authorities such as ECC, EFDC planning will need to put an agreement in place to ensure these measures are implemented.

### Construction Management Conditions

1 a) Prior to demolition works commencing a Demolition Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with relevant guidance such as IAQM'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.

b) Prior to construction works commencing a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the construction of the development. This should include a risk assessment and a method statement in accordance with relevant guidance such as IAQM'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.

Reason: Dust and other air pollution from demolition and construction 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 help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017

### Informative for the Construction Management Statement condition

The submitted management statement shall include details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Bonfire policy
- Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emissions of Gaseous and Particulate Pollutants) Regulations 1999
- Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation
- Site plan identifying location of:
  - site entrance and exit
  - wheel washing

- hard standing
- hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting)
- stock piles
- dust suppression
- location of water supplies and
- location of nearest neighbouring receptors
- Copy of an asbestos survey

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

Reason: Dust and other air pollution from demolition and construction 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 help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017.

3. Wheel washing equipment to be installed - 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 the guidance contained within the National Planning Policy Framework, policy ST4 of the adopted Local Plan and Alterations, and Policy T 1 of the Epping Forest District Council Local Plan Submission Version 2017.

#### **Ultra Low NOx Boilers Condition (if applicable)**

4. Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To help improve local environmental conditions and limit emissions to air as required by the national planning policy framework. Boilers can be a significant source of NO2 emissions and worsen local air quality. To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017

#### **Electric Charging Points (commercial/leisure) Condition**

5. Prior to first occupation of the development hereby approved, a minimum of 1 Electric Vehicle Charging Point per every 10 spaces on industrial, commercial or leisure developments shall be installed and retained thereafter.

Reason: To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017.

**Essex County Council – Highways  
30 June 2021**

The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms it is not contrary to national and local highway and transportation policy and current safety criteria.

The Transport Assessment has analysed the impact of the traffic generation, to the satisfaction of the Highway Authority, and is not considered to have a significant or severe impact at this location, or on the wider highway network.

Furthermore, the applicant is improving the existing environment for walking and cycling, as well as providing improved bus stop facilities along the High Street, that will help encourage more use of sustainable transport options to and from the site, and help reduce the reliance on the private motor vehicle.

Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity, or efficiency.

**Epping Forest District Council – Land Drainage  
9 June 2021**

No objection to planning application in principle, subject to the approval/implementation of the following requirements set out.

The applicant has provided a flood risk assessment and associated drainage design with the application. Following correspondence with this team and the LLFA, revisions have been made to the design such that we agree with the findings in principal. Please add a condition requiring that the development be carried out in accordance with the flood risk assessment (Flood Risk Assessment, Ref 2780-MHT-CV-RP-001, Dec 2020) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

Where there is a public sewer within/adjacent the site, any works within three metres of a public sewer will require build over consent from Thames Water Developer Services.

In line with the requirements set out in the Development Management drainage policies, namely DM15 and DM16 within the Submission Version Draft Local Plan; the proposed drainage strategy aims to achieve a reduce runoff from the site by incorporating sustainable drainage systems into the drainage design. Please add a condition for the finalised details inclusive of, but not limited to the .scrx files from Microdrainage and exploration of additional water quality treatment in line with the simple index approach within C753; under condition SCN16 requiring approval of surface water drainage by the Local Planning Authority prior to preliminary groundworks commencing

**Epping Forest District Council - Environmental Health Air Quality**  
**19 January 2021**

Accept the conclusions of the submitted air quality assessment, on the proviso that the applicant's traffic assessment and sustainability assessment are approved with no further amendments required from the relevant teams at EFDC and ECC.

Recommend the following conditions should planning permission be granted:

Construction Management Conditions

- 1. a) Prior to demolition works commencing a Demolition Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development.
- 1. b) Prior to construction works commencing a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the construction of the development.

Reason: Dust and other air pollution from demolition and construction 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.

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

Reason: Dust and other air pollution from demolition and construction 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 help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017.

- 3. Wheel washing equipment to be installed

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with the guidance contained within the National Planning Policy Framework, policy ST4 of the adopted Local Plan and Alterations, and Policy T 1 of the Epping Forest District Council Local Plan Submission Version 2017.

Ultra-Low NOx Boilers Condition (if applicable)

- 4. Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To help improve local environmental conditions and limit emissions to air as required by the national planning policy framework. Boilers can be a significant source of NO<sub>2</sub> emissions and worsen local air quality.

To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017

Electric Charging Points (commercial/leisure) Condition

- 5. Prior to first occupation of the development hereby approved, a minimum of 1 Electric Vehicle Charging Point per every 10 spaces on industrial, commercial or leisure developments shall be installed and retained thereafter.

Reason: To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017.

**Epping Town Council  
23 June 2021**

Committee have no objection to this application.

The Committee acknowledge receipt of the amended plans and latest technical reports regarding this proposed development.

However, the Committee felt that it would have been helpful for the applicant to liaise with the Town Council to explain the proposed development and any changes made especially given previous comments made by the Committee.

Considering the amended floorplans, the Committee had additional comments to make as follows:

- Committee commented that the existing public toilets should remain open until the new public toilets in the multi-storey are built open
- Committee questioned if there was a need for office space in the plans
- Committee questioned if there was a need for retail space in the plans
- Committee suggested putting in disabled spaces on the ground floor near the shops
- Committee felt that the number of public toilets proposed wasn't adequate
- Committee advised that the height of the multi-storey needs to be considered to allow for larger Monday Market stallholders vehicles

**Epping Town Council  
18 January 2021**

No planning objection to the proposal, but request the following matters are taken into consideration:

- Concerns about the loss of amenity for the neighbouring properties at Bakers Lane, in terms of visual impact, loss of light and noise and request consideration is given to the positioning and scale of the buildings in order to minimise that loss of amenity.
- Request that the design is as sympathetic to the conservation area as possible and question whether the building could be lower.
- Request that there is sufficient green space and landscaping, given the volume of trees to be removed to facilitate development and would suggest this could be increased.
- Request that there is sufficient habitat protection and provision for wildlife, with any work carried out at the correct time of year.
- Noted the Highways safety implications relating to traffic visiting and maybe queuing into this large car park, where there will be two possibly busy areas. The scheme must be designed to ensure the safe movement of pedestrians, as people use the leisure centre at Bakers Lane, potentially crossing from the car park at Cottis Lane.

**Essex County Council – Development & Flood Risk (SuDs)  
16 April 2021**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

**Condition 1**

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 1.95l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. All proprietary features should have their indices provided. If they are unavailable then alternative features may be needed.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

**Condition 2**

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

**Essex County Council – Development & Flood Risk (SuDs)  
11 January 2021**

Issue a holding objection to the granting of planning permission based on the following:

- In line with the Essex SuDS Design Guide, brownfield sites should limit to the 1 in 1-year greenfield rate for all storm events up to and including the 1 in 100 plus climate change storm event. If this is proven not to be possible the discharge rate should be limited back to as close as feasibly possible with a 50% betterment on the 1 in 1-year brownfield rate being the last resort. Currently constraints such as clay soils, the large building footprint, limited external space for SuDS is not a satisfactory reason as further storage could be provided in terms of tree pits, permeable paving, larger attenuation tanks.
- Unclear how the site is to receive surface water treatment. It is unclear how much treatment the petrol interceptor provides and the subbase for the yard area. Surface water should be treated in line with the Simple Index Approach found within the CIRIA SuDS Manual C753 and as this site is considered to have a medium pollution hazard level then ideally there should be a minimum of 2 stages of treatment. It is unclear how much treatment the petrol interceptor and yard area provides in line with the simple index approach.
- There are documents discussing tree pits included on the planning portal however they have not been discussed in the drainage strategy. These could provide more attenuation as well treatment helping to lower the discharge rate.
- There have been no preliminary calculations provided for the storage or for the network itself.

Additional comments:

- Whilst the irrigation of the green roof would be a welcomed form of reuse, it is recommended that where possible, further consideration is given to the reuse for things such as showers and toilets
- Strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively.

**Essex County Council - Green Infrastructure**  
**11 January 2021**

No objection, however if approval is forthcoming, it is recommended that the following conditions are considered:

- Action required prior to commencement of development: Landscape management plan.  
No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority, a landscape management and maintenance plan and work schedule for a minimum of 10 years. Details should include who is responsible for GI assets (including and surface water drainage system) and the maintenance activities/frequencies.

Would also expect details on how management company services for the maintenance of GI assets and green spaces shall be funded and managed for the lifetime of the development to be included.

Reason: To ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of GI assets.

**Epping Forest District Council - Trees & Landscape**  
**14 January 2021**

Do not consider that this application should be determined with the inconsistencies present within the submitted documents.

The application appears to be putting forward the removal of trees and new landscaping on land that it does not own or have 'control' over. As such the landscaping proposals may not be achievable as is shown.

**Essex County Council – Place Services - Archaeology**  
**14 January 2021**

There is no need for an archaeological condition for this application.

**Epping Forest District Council - Building Control**  
**14 January 2021**

It is advised that early consultation is carried out with Essex Fire and Rescue Service with regards to B5 of the Building Regulations (Access and facilities for the fire service), to ensure compliant access can be achieved under the planning approved scheme.

**Place Services - Ecological**  
**12 January 2021**

No objection subject to securing biodiversity mitigation and enhancement measures.

Recommended conditions:

- All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (BSG Ecology, December 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Ecological Appraisal (BSG Ecology, December 2020). The content of the Biodiversity Enhancement Strategy shall include the following:
  - a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs to achieve stated objectives;
  - c) locations 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 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 2019 and s40 of the NERC Act 2006 (Priority habitats & species).

**Epping Forest District Council - Contaminated Land  
11 January 2021**

It is considered a possibility of contamination is present within the sub-surface. The preliminary risk assessment for the site is therefore likely to be Low to Moderate. It has been recommended to undertake an intrusive site investigation (Phase 2) to determine the extent of any localised Made Ground and any actual pollution linkages and to quantify the risk to the receptors as outlined with the Preliminary CSM.

A Phase 2 site investigation protocol should be prepared and submitted to the council for approval prior to works taking place. A site walkover should be completed prior to development of Phase 2 site investigation protocol.

In respect of the above, it is considered that condition SCN 57A be attached to any approval granted.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy RP4 of the adopted Local Plan 1998 & 2006, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.

**Epping Forest District Council – Environmental Health  
5 January 2021**

**CONSTRUCTION PHASE:**

Construction methodology

*Condition: Before any phase of the hear by permitted development commences, the construction methodology shall be agreed in writing with the Local Planning Authority to ensure that the impact on nearby noise sensitive premises is minimised from activities such as (but not exclusively) excavation, piling, vehicle and plant movements, etc. Only construction methods in accordance with the written approval shall be undertaken.*

Reason: In the interests of the amenities of noise sensitive properties.

Construction work – Permitted hours

*Condition: All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0730 to 1830 Monday to Friday & 0800 to 1300 hours on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.*

Reason: In the interests of the amenities of noise sensitive properties.

Bonfires

*Condition: No bonfires shall be permitted on site throughout the demolition and construction phase of the development.*

Reason: In order to protect residential amenity.

Dust control

*Condition: All reasonable steps to minimise dust emissions from the site shall be employed throughout the demolition and construction phase of the development. The dust suppression methodology shall be agreed in writing with the Local Planning Authority before construction commences.*

Reason: To protect the amenity of the area from excessive dust emissions.

Wheel washers

*Condition: Wheel washing or other cleaning facilities for vehicles leaving the site during demolition and construction works shall be installed in accordance with details which shall be submitted and agreed in writing by the Local Planning Authority. The facilities shall be installed prior to commencement of any works on the site and shall be used to clean vehicles leaving the site.*

Reason: To avoid the deposit of material on the public highway in the interest of highway safety and control of dust.

**OCCUPATION PHASE:**

Noise from vehicles in the car park

Condition: *The hereby approved car park shall achieve the Park Mark accreditation (or other recognised similar scheme) before the hereby permitted use commences. The accreditation shall be maintained throughout the operational use of the site.*

Reason: In order to minimise any ASB which will affect the users of the car park and any local residents.

Also suggest a condition which limits access to either the upper floors of the car park/locking the car park when the nearby leisure facilities are closed. Wording TBC – do not want to overly restrict the use of the car park/hinder the use for legitimate users of the car park.

E.g. Such a condition may include a requirement that the car park closes (either by certain floors, or the whole car park) 30 minutes after the local facilities close, or that certain floors are closed after a certain time, e.g. 22.00hrs, and opened at 06.30 hrs, but this is open to discussion.

Reason: In order to minimise any noise and ASB which will affect the users of the car park and any local residents.

#### Installation of 2m high boundary fence

For any noise generated on the upper floors of the car park, there will be no mitigation from the barrier for those rooms at first floor level (and possibly at ground floor) as there will be a direct line of sight from the car park to these habitable rooms. As such, any mitigation will be negligible, which further strengthens the above requirement for a condition restricting the use of the upper levels late at night.

#### Predicted noise levels

The consultant has predicted noise levels from a “slow moving car inside a multi-story car park” (Table 3, para 5.3), this may be the case with a vehicle which is moving within the modelled levels. However, due to a number of variables that may be present (including the speed/revving/etc of the vehicles) there is some margin of error within the model.

In addition, I note that the consultant indicates that the existing ambient level is controlled by local traffic noise. The construction of the large car park is likely to put the sheltered accommodation into an acoustic “shadow zone”, and may reduce the ambient noise level at the site, which would make any noise within the car park more noticeable. It is difficult to predict this without a more accurate model of the proposed development via some noise mapping software.

#### Noise from plant

Condition: *The use of any plant which services this development must cease during any period that the rating level of noise (as defined by BS4142:2014) exceeds the prevailing background noise level at the affected noise sensitive premises. The measurement position and assessment shall be made according to BS4142:2014, and shall include the cumulative effect of all of the plant on the site.*

*The cumulative plant noise limit for this site shall not exceed 39dB LAeq, 1hr between 07.00-23.00 hrs, and 32dB LAeq, 15 mins between 23.00-07.00 hrs.*

Reason: In order to minimise any noise which will affect the amenity of local residents.

#### Noise from the Service Yard and access

Condition: *No deliveries shall be taken at or despatched from the site outside the hours of 07.30-18.30 hrs Monday – Friday, 08.00-16.00 hrs Saturday, 09.00-13.00 hrs on Sundays, Bank or Public Holidays.*

Reason: In order to protect amenity of the area.

Condition: *No refuse collection shall be carried out from the site outside the following times 07.00 to 19.00 hours Monday to Friday, 08.00-13.00 hrs Saturday nor at any time on Sundays, Bank or Public Holidays.*

Reason: In order to protect amenity of the area.

#### **ENTERTAINMENT NOISE:**

##### Low Frequency Noise

It is noted that the consultant has suggested noise limits for the cinema for low frequency noise. Whilst these are acceptable, I do question how easily measurable they are considering the noise climate in the area, and would like this to be explored further. The noise survey for the area provided an overarching LAeq level, but did not look at the 1/3 octave bands for which the proposed limits were suggested.

Subject to the response of the applicant regarding this, either of the following conditions are suggested:

Condition: *Low frequency, unweighted noise levels should be controlled to a maximum of 50 dB Leq, 63Hz, 5 min and 40 dB Leq, 125Hz, 5 min at the façades of nearby noise sensitive premises.*

Or

Condition: *Low frequency noise from the nearby permitted leisure facility shall not be audible at the façade of nearby noise sensitive premises.*

Reason: In order to minimise the impact of any low frequency noise from the leisure use which will affect the amenity of local residents.

##### Use of terrace

Condition: *Prior to first use of the terrace area on the upper floor of the development, a noise management plan shall be submitted to and approved in writing by the local planning authority. The noise management plan shall include details of measures to minimise noise from proposed activities on the terrace, and shall be adhered to at all times.*

Reason: In order to minimise any noise from the use of the terrace which will affect the amenity of local residents.

##### Initial "Meanwhile" Use

Condition: *Prior to first use of the open space, a noise management plan shall be submitted to and approved in writing by the local planning authority. The noise management plan shall include details of measures to minimise noise from proposed activities in the open space area, and shall be adhered to at all times.*

Reason: In order to minimise any noise which will affect the amenity of local residents.

Particular attention should be made of the use of the area adjacent to Buttercross Lane, as this has the potential to significantly affect these residents from noise from events such as outside drinking, outside cinema, and early morning starts from any markets, which they currently are not subject to.

**LIGHTING:**

Condition: *Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and the impact on neighbouring residential properties. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.*

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

**COMMERCIAL UNITS:**

Conditions governing opening hours, any cooking extract systems (for both noise and odours) will need to be considered.

Unsure how to determine any opening hours, as it will depend on the type of business occupying each unit. However, a more overarching condition could include:

*The commercial uses hereby permitted shall not be open to customers outside the hours of 07.00-23.00 hours Monday-Thursday, 07.00-23.30 hours, Friday-Saturday and 08.00-23.00 hours Sunday.*

Reason: In order to minimise any noise which will affect the amenity of local residents.

Also recommend the following condition for any kitchen extract system, if not already suggested by Public Health colleagues:

*Details if any extraction system for any food preparation areas, or other processes which may produce odours and/or noise and vibration, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Any subsequent changes to the use of any unit, where such equipment is used shall also be submitted to and approved in writing by the Local Planning Authority within 3 months of any such changes in the nature of the business. If the premises does not gain written approval with the Local Planning Authority within 3 months of any such changes, the premises shall cease all use of any extraction system or other process.*

Reason: In order to minimise any noise and/or odour which will affect the amenity of local residents.

**Essex Police  
1 February 2021**

Inspection of the documents provided indicate information is required to form an opinion as to the extent to which CPTED has been incorporated into the design. There are some issues of concern Essex Police would be keen to discuss with the applicant.

**Marks & Spencer  
20 January 2021**

Ask that the below points are addressed, which seek to ensure the proposed development minimizes the disruption to the operation of the M&S store for shoppers during the construction period and fully integrates with the High Street.

- Maintain the maximum number of car parking spaces available during construction either through phasing and/or by ensuring that parking provision at either Cottis Lane/Bakers Lane is available at all times. In addition, it is important to prevent the loss of any spaces in the future to ancillary uses.
- Ensure that the service access/arrangements for the M&S store will be uninterrupted during the construction phase and afterwards relative to the proposed highway works including the proposed loading bay and turning points for service vehicles, refuse and emergency vehicles on Cottis Lane.
- Strengthening and upgrading the pedestrian route from the proposed development at Cottis Lane through to the High Street past the M&S Foodhall in order to optimise links to the benefit of the town centre as a whole.

**Epping Society  
16 January 2021**

Object to the application on the following grounds:

- The consultation process has been unreasonably short and unwieldy. The process is conflicted and fails to reflect the scale and importance of the proposed developments.
- The documents supporting the application are too numerous and badly organised. There are too many errors and uncertainties contained therein, casting doubt on projections and expectations.
- The proposed buildings are massive and overshadowing so their impacts will be greater than indicated.
- The designs indicated are inappropriate for a small historic market town.
- Inadequate consideration has been given to the interaction between the new buildings and local wind patterns, the “wind tunnel” effect.
- Traffic flow assessments are flawed and underestimate the impacts the development will have on an already over-stretched infrastructure.
- Cycling has been overestimated as a component of the likely transport mix.
- Pedestrian movement issues have not been sufficiently addressed.