

OFFICER REPORT

Application Ref: EPF/2948/19
Application Type: Full planning permission
Case Officer: Cuma Ahmet
Site Address: 117 High Road
Loughton
Essex
IG10 4JA

Proposal: Proposed conversion of an existing dwelling to incorporate x3 no. two bedroom flats. Proposed rear extension to the existing property x1 no. two bedroom flats, x1 no. three bedroom flat & x1 no. one bedroom flat. Provision of x6 no. car parking spaces with a disabled bay, cycle & bin stores. ** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**

Ward: Loughton Forest
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nvjb>
Recommendation: Approve with Conditions

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

This application was deferred for decision at the 6th July meeting for a site visit to be organised for Members. The site visit has been arranged to take place on the 25th July.

Description of Site

The application site comprises an extended two-storey semi-detached property at the junction of High Road and Meadow Road. The accommodation is laid out over three floors including a separate basement/lower ground. The property is mainly used as a single-family dwelling, although an osteopath/wellbeing practice appears to be operating from the site too. Car parking is accommodated to the front/side garden curtilage accessed via 2 separate crossover points in Meadow Road. Ground levels fall gradually from the front to rear by approximately 0.5 metres.

The property is not designated within a conservation area nor is it a listed or locally listed. Six Lime trees are located within the front and side boundaries all of which are protected.

The site is also within walking distance of Loughton Town Centre including bus and underground services.

Description of Proposal

The application seeks planning permission for the following:

1. Conversion of existing dwelling to incorporate 3 no. two bedroom flats;
2. Proposed rear and side extensions to existing property to provide 1 no. two bedroom flats; 1 no. three bedroom flat and 1 no. one bedroom flat.

3. Provide of 4 no. car parking spaces with a disabled bay, cycle and bin stores.

The proposed scheme design was amended following the officer's request to address the lack of soft landscaping and to improve the long-term health of the protected trees.

Relevant Planning History

EPF/3319/18: Proposed conversion for an existing dwelling to incorporate x 3 no. 2 bedroom flats. Proposed rear extension to existing property x 3 no. 2 bedroom flats & x 1 no. 3 bedroom flat. Provision of x 7 no. car parking spaces with a disabled bay, cycle and bin stores. APPLICATION WITHDRAWN 24/05/19.

EPF/0091/14: Change of use from dwelling house (use class C3) to NHS doctors surgery (use class C2). Demolition of existing rear extensions and new two storey rear extension with glazed link to main building and provide parking. REFUSED 12/03/14

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 Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

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

CP1 Achieving Sustainable Development Objectives
CP3 New Development
CP5 Sustainable Building
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
CP9 Sustainable Transport
NC1 SPAs, SACs and SSSIs
H2A Previously Developed Land
H3A Housing Density
H4A Dwelling Mix
H9A Lifetime Homes
DBE1 Design of New Buildings
DBE2 Effect of Neighboring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE8 Private Amenity Space
DBE9 Loss of Amenity
DBE11 Sub-Division of Properties
LL7 Planting, Protection and Care of Trees
LL10 Adequacy of Provision for Landscape Retention
LL11 Landscape Schemes
ST1 Location of Development
ST4 Road Safety
ST6 Vehicle Parking
I1A Planning Obligations
U2A Development in Flood Risk Areas
U2B Flood Risk Assessment Zones
U3B Sustainable Drainage Systems

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

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

POLICY - SIGNIFICANT WEIGHT AFFORDED TO PLANNING POLICIES AS FOLLOWS

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy 2011-2033
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
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
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
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
DM18 - On Site Management of Waste Water and Water Supply
DM19 - Sustainable Water Use
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM22 - Air Quality Significant
D1 - Delivery of Infrastructure
D3 - Utilities

National Planning Policy Framework (July 2021)

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

determining the application are out-of-date, granting permission unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Summary of Representations

Number of neighbours consulted: **43**

Number of neighbour objections received: **6**

Neighbour objections from: LOUGHTON RESIDENTS' ASSOCIATION PLANS GROUP, 5 Meadow Road, 7 Meadow Road, 9 Meadow Road, 28 Meadow Road, and 51 Meadow Road.

A summary of the main concerns raised are as follows:

- Additional dwellings will result in more car pollution and therefore impact on the EFSAC;
- Any additional dwelling that leads to more traffic in the EFSAC is unacceptable;
- Parking provision off-road is inadequate for the location;
- Proposals/works at No.117 High Road would unbalance the character and appearance of the semi-detached pair;
- Out of keeping with nearby buildings on both side of Meadow Road and High Road;
- Proposals amount to garden grabbing;
- If the Council is minded to approve the proposals it should require that the occupiers of the additional dwellings only use electric cars to protect the EFSAC;
- Parking provision in Meadow Road is already at a premium and these proposals will only exacerbate the problem further;
- Potential for bedroom to be overlooked if rear windows are not obscured;
- Safety at junction of road onto High Road will be compromised by more vehicles using the site.

LOUGHTON TOWN COUNCIL: **OBJECTS** to this application on the grounds of:

- Proposals are an overdevelopment of the site;
- Overbearing due to its height and bulk and would be detrimental to the amenity of neighbouring properties in Meadow Road;
- Application provides insufficient parking provision which would exacerbate existing problems in Meadow Road, where parking restrictions exist;
- The proposed narrow access points in Meadow Road to the parking spaces would create potential danger to users of the highway;
- Overdevelopment of the site fails results in a lack of ability to provide soft landscaping and thus fails to improve green infrastructure;
- This development, alone or in conjunction with others, may have an adverse effect on the Epping Forest Special Area of Conservation; and
- It would be unsafe and unsound to grant this application, by virtue of the greater number of occupants living there.

Issues and Considerations

Principle of conversion/sub-division to form self-contained flats

In summary, policy DBE11 of the adopted Local Plan supports in principle the sub-division of residential properties to flats, maisonettes or HMOs provided that the proposed development does not:

- i. create an undesirable precedent or detract from the character of the surrounding area; or
- ii. result in excessive noise and/or disturbance to its future or neighbouring occupiers; or
- iii. result in adjacent properties being overlooked to an excessive degree; or
- iv. involve loss of important garden space in order to create car parking spaces.

In this section only part (i) will be considered whilst parts (ii – iv.) are considered separately under sub-headings relating to design and parking.

Policy H4A of the adopted Local Plan is equally relevant and seeks to ensure provision is made for a range of dwellings, including appropriate smaller dwellings to meet identified housing need on a site by site basis.

The SVLP (2017) does not specifically contain a specific (or bespoke) planning policy that addresses proposals for the sub-division or conversion of properties. Instead, it focusses through emerging policy H1 (parts A and B) to achieve a mix of housing and accommodation types that meets the needs of existing and future residents as well as to ensure the creation of mixed and balanced communities. Matters relating to the quality of the residential units are addressed under policies DM 9 and DM10 respectively.

The proposed development, assisted through extensions and alterations, would provide the following housing mix:

Flat Type GIA (m2) (approximate)

A 3 bed 120m2

B 2 bed 71

C 2 bed 88

D 1 bed 62

E 1 bed 88

F 1 bed 76

There is a wide range of housing types in the immediate and/or near vicinity of the application site which includes flats and single dwellinghouses. On that basis, it is not considered that the proposed housing mix would create an undesirable precedent or detract from the character of the surrounding area.

In terms of identified housing needs, the Council's Strategic Housing Market Assessment (2015) identifies that most of the 'market' future housing needs are for 2 and 3 bed sized houses. Whilst there is an indicative reduced need for flats, it is considered that the quantum and range of units being proposed in an accessible location to services and transport, will make a positive contribution to housing provision and choice in the District.

Subject to other matters concerning residential amenities (for both existing and future occupiers) in terms of noise and/or disturbance, overlooking and privacy including other design-related considerations being satisfied, the principle of sub-division to provide additional residential accommodation in this location can be supported.

Design, layout and private amenity

The proposed extensions will be wholly located to the side and rear of the host building. The additions on the whole are acceptable in their scale and design as well as appearance and would maintain a degree of subservience to the host dwelling. However, should Members seek to give planning permission it is recommended that a planning condition is included to secure further details of all external facing materials to ensure a high-quality appearance can be achieved.

With regard to the size of accommodation to be provided, each proposed unit exceeds the Nationally Prescribed Space Standards (March 2015) (see previous section). The respective layouts are arranged in cognisance of the need to ensure that any potential for noise and disturbance between units is minimised.

The proposed design incorporates dual aspect layouts for each flat which will enable good daylighting and ventilation to habitable areas at all times. The 3 bedroom unit at ground level (Flat A) would have direct access provided onto its own private garden space, which is desirable given it is likely to be attractive to family occupation. Similarly, private amenity has also been provided for Flats B (private balcony), C (garden) and F (private balcony) which are also acceptable in terms of their form/type, respective sizes and locations. Whilst officers have noted that Flat E would not incorporate any private amenity, there is scope to provide this and recommend that this matter is secured by condition in the event Members resolve to grant planning permission.

No objections have been received from the Councils trees and landscaping team subject to conditions to secure tree protection measures and full hard and soft landscaping specifications.

Subject to securing details of balcony amenity for Flat E, the design, layout and level of private amenity proposed is acceptable and would provide a suitable standard of accommodation for future occupiers. Accordingly, the proposals would comply with policies LL10, DBE1, DBE4, DBE5 and DBE11 of the adopted Local Plan (2008) and policies DM 3, DM 5, DM 9 and DM 10 of the SVLP (2017).

Impact on Residential Amenities

No.115 High Road is the nearest property likely to be impacted by these proposals. The main building is currently occupied as a doctors surgery (ground floor only) with a self-contained two bed maisonette at first floor. A further 2 no. 2 bed maisonettes are comprised within the rear modern two-storey outrigger. The windows serving each of the residential units identified are entirely south and west facing and as a result will not be overlooked nor will their daylight/sunlight be reduced by the proposals.

No.5 Meadow Road sides onto the development with one opening serving a staircase to its south flank. Whilst the proposals will incorporate new window openings that face onto the flank and rear garden of this property, these are over 10 metres away at their nearest. Therefore, the impact on the privacy of the occupiers of this property are unlikely to be materially harmed.

Overall, development proposals would not cause significant harm to the outlook, light and privacy afforded to the nearest neighbouring properties and therefore are acceptable, in accordance with policies DBE9 and DBE11 of the adopted Local Plan (2008) and policy DM 9 of the SVLP (2017).

Highways and Parking

The application initially proposed parking for 6 vehicles (or 1.5 spaces per dwelling) located to the front and rear of the property before being reduced to 4 spaces (0.6 spaces per dwelling). It is considered that the reduced parking provision achieves key planning policy objectives which are:

- to encourage alternative sustainable modes of transport (vis-à-vis policy T1 of the SVLP 2017) particularly in areas with good accessibility to services and public transport;
- to encourage the retention and/or enhancement of green infrastructure in development proposals (vis-à-vis DM5 and DM9 of the SVLP (2017); and
- to improve road safety by removing the use of a crossover at the junction with High Road.

The Essex County Council's Highway Engineer supports the Council's approach in discouraging the need to travel by car have and therefore do not object to the level of parking provision made. They have also requested that each dwelling/occupier is provided with travel vouchers before first occupation as

well as a planning condition requiring the removal of the redundant vehicle access prior to occupation. Officers agree to both recommendations.

The objections received in relation to increased parking stress in Meadow Road are noted although officers consider any residual parking resulting from this development would be limited. In addition, it has been noted that there are parking restrictions in the area which will restrict the opportunity for future ad-hoc parking.

Overall the impact of the proposals on the highway safety and function including the level of parking provision made are acceptable and therefore comply with policy ST6 of the adopted local plan (2008) and policy T 1 of the emerging SVLP (2017).

Waste and Refuse

Covered bin storage facilities will be provided to the side rear of the development. Further details of the design of the bin storage facility should be secured by planning condition to ensure it is both secure and does not detract from the existing character of the street scene.

In this regard the proposals would comply with Policies U2B and U3B of the Adopted Local Plan and Alterations (2008) and Policies DM10 and DM11 of the Submission Version Local Plan (2017).

Land Contamination and Surface Water Drainage

Both the Land Drainage Officer and Land Contamination Officer have advised they have no objections to the proposals subject to conditions.

In this regard the proposals would comply with Policies U2B and U3B of the Adopted Local Plan and Alterations (2008) and Policies DM15, DM16 and DM21 of the Submission Version Local Plan (2017).

Epping Forest Special Area of Conservation.

Screening Assessment

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

a) 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. In addition the site lies within the parish of Loughton/Buckhurst Hill/Theydon Bois (delete as appropriate). Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

b) 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 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 recreational pressures and atmospheric pollution.

'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach and identification of Infrastructure Enhancement Projects in the Council's Green Infrastructure Strategy, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes, monitoring proposals and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the Interim Approach and the Green Infrastructure Strategy. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect 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.

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 and therefore complies with policy NC1 of the adopted Local Plan (2008) and policy DM 2 and DM 22 of the emerging SVLP (2017).

Conclusion

The proposals would provide a good range of residential accommodation in a sustainable location and will positively contribute to local and districtwide housing needs. The proposed extensions and alterations are appropriate in scale and design and would be built to complement the character of the area as well as ensuring that the living conditions of existing neighbours are not harmed. Accordingly, it is recommended that planning permission is granted subject to planning conditions and a Section 106 Agreement to secure recreation and air pollution mitigations in relation to the Epping Forest SAC.

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: Cuma Ahmet

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

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 and retained strictly in accordance with the following approved plans:

PHEF/19/SCH2/02
PHEF/19/SCH2/03
PHEF/19/SCH2/04
PHEF/19/SCH2/05
PHEY/19/SCH2/06
PHEF/19/SCH2/07
PHEY/19/SCH2/08 REV B
PHEF/19/SCH2/09
PHEF/19/SCH2/10

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

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

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 [+ DBE4 when located in the Green Belt] of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

- 5 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 ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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 the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 8 Details of the proposed surface materials for the [X] shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development.

Reason: To ensure that a satisfactory surface treatment is provided in the interests of highway safety, visual amenity and to reduce the risk of flooding and pollution, in accordance with policies CP2, ST4 and U3A of the adopted Local Plan and Alterations 1998 & 2006, policies T1, DM9 and DM15 of the Local Plan Submission Version 2017, and the NPPF.

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

- Location of active charging infrastructure; and
- Specification of charging equipment to be used.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies T1 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 10 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 11 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

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 policies CP2, DBE1 and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM12 of the Local Plan Submission Version 2017, and the NPPF.

- 13 No preliminary ground works shall take place until an assessment of flood risk, focusing on surface water drainage, has been submitted to and approved by the Local Planning Authority. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

Reason: The development is located in an area identified as being in an Epping Forest District Council flood risk assessment zone and would be likely to result in increased surface water run-off, in accordance with policy U2B of the adopted Local Plan and Alterations 1998 & 2006, policy DM15 of the Local Plan Submission Version 2017, and the NPPF.

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

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

Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

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

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

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Local Plan Submission Version 2017, and the NPPF.

- 16 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 the duties indicated in 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 LL10 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, and policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 17 Prior to the first occupation of the development the existing redundant vehicular access shall be fully reinstated, including footway construction and full height kerbing.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

- 18 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 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.

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

Reason: To ensure that appropriate parking and turning is provided.

- 20 Prior to the first occupation of the development the cycle parking facilities, as indicated on the approved plans, shall be fully implemented and retained as such for the duration of the development.

Reason: To ensure appropriate bicycle parking is provided.

- 21 Notwithstanding the details hereby approved, the applicant shall submit revised plans that incorporate private balcony/amenity details for Flat E for the written agreement of the Local Planning Authority.

Reason: To ensure adequate private amenity is provided for future occupiers.

Informatives: (4)

- 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 The area is secured with parking restrictions to prevent ad-hoc on-street parking becoming a safety issue. Furthermore, the site is very well located in terms of good access to other modes of sustainable travel.
- 24 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
- 25 In certain soil conditions, particularly in areas with known springs, subterranean development can impact on groundwater flows and levels. This form of development has been known to block or redirect natural groundwater flows, causing subsidence, instability, saturation and/or flooding where this was not previously occurring. If your proposed development leads to these effects on neighbouring property and structures, you could be liable for civil litigation. You are advised to thoroughly investigate the hydrological and flooding implications of your proposed development.