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Application Number:	EPF/0935/20
Site Name:	Unit 20, Oakwood Hill Industrial Estate, Loughton IG10 3TZ

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OFFICER REPORT

Application Ref: EPF/0935/20
Application Type: Full planning permission
Applicant: Mr Aaran Hall
Case Officer: Marie-Claire Tovey
Site Address: Unit 20
Oakwood Hill Industrial Estate
Loughton
IG10 3TZ
Proposal: Proposed new 4 storey office building and associated parking.** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**
Ward: Loughton Alderton
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Ny8c>
Recommendation: Approve with Conditions

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

Description of Site:

The site is located within the Oakwood Hill Industrial Estate and is located on the north side of Oakwood Hill. The site is currently a scaffold yard with adhoc storage structures and portacabins located behind a palisade fence. The site slopes up from the front to the rear and backs on to the TFL underground line with a residential area beyond the railway line. Within Oakwood Hill there a variety of mixed commercial uses including offices/workshops/gymnastics hall, and immediately to the east of the site is a Public car park. The whole of the Industrial Estate is allocated as Employment land within the Submission Version Local Plan. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for a proposed 4 storey office building and associated parking. The building will be set some 17.5m into the site with parking for 22 cars, 4 bikes located to the front and a cycle store to accommodate 20 bikes located to the side of the building. The main building is set of the boundaries by 1.5m from No. 21 and 3.8m from No.19 and 1.5m set in from the rear boundary.

The office building itself is 13.3m in height, 29m in width, 11.9m deep and finished with a cladding. There are no openings to the rear of the building except for two doorways at ground floor level.

Relevant History:

EPF/1908/19 - Proposed new 5 storey office building with associated parking – Withdrawn (At Officer's suggestion due to height)
EPF/0835/15 - Change of use from private parking storage for car dealership to use as a builders depot including stationing of portable storage and office buildings and erection of scaffold storage racks – Approved

Policies Applied:

Local Plan (1998) and Alterations (2006)

CP1 Sustainable development
CP2 Protecting the quality of the environment
LL11 Landscaping schemes
ST1 Location of development
ST2 Accessibility of Development
ST4 Road safety
ST6 Vehicle parking

NPPF

Epping Forest District Local Plan (Submission Version) 2017

Policy		Weight
DM3	Landscape Character, Ancient Landscapes and Geodiversity	Significant
DM9	High Quality Design	Significant
DM22	Air Quality	Significant
T1	Sustainable Transport Choices	Significant
P2	Loughton	Significant
E1	Employment Sites	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 74

GRANGEWOOD HOUSE, CRATE OAKWOOD HILL INDUSTRIAL ESTATE
LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP)

Objections summarised as:

Increase in Traffic, highway safety, lack of interesting design, needs a green wall

LOUGHTON TOWN COUNCIL: OBJECTION

The Committee OBJECTED to this application on the grounds that the proposed building is still monolithic and imposing on the houses in Lushes Road. It is out of keeping with the existing buildings and should be reduced in height from four to two storeys.

The Committee believes that this development, alone or in conjunction with others, may have an adverse effect on the Epping Forest Special Area of Conservation. Accordingly, the Committee believes that it would be unsafe and unsound to grant this application, by virtue of the greater number of occupants working there.

The Committee acknowledged that while this development would result in generating employment it should not be done to the detriment of the local area's visual appearance.

Main Issues and Considerations:

The main issues in the determination of the application are considered to be the following:

Principle of the Development
Design
Impact on Amenity
Parking and Highways
Impact on the EFSAC

Principle of Development

The principle of offices on this site is acceptable. Policy E1 of the SVLP (2017) states at A (i) that

The Council will seek to retain and enhance existing employment sites and premises. Proposals for the redevelopment, renewal, intensification, or extension of existing employment sites and premises for their existing use will be encouraged.

This proposal redevelops the site as an employment generating use and therefore this principle is compliant with this emerging policy. Given the increase in height it also is considered to make best use of this employment land.

Design

The proposal appears as a modern office block and is not dissimilar to other styles of building within the immediate Estate, including Grangewood House at the entrance to Oakwood Hill.

The proposal will be in line with the adjacent two storey building at No. 21. Despite the four storey height of the proposal, due to the substantial set back from the road edge the proposal would not appear overbearing within the streetscene.

Although the tallest building within the vicinity, the proposal is considered to complement the streetscene within this commercial area. Streetscenes and 3D visuals have been submitted which have assured Officer's that the proposal will not appear overbearing or out of keeping with the surrounding area.

The cladding choice has not been defined by the Applicant but this can be subject to a condition so that the finished building complements the surrounding colour palettes.

Given that the proposal backs onto the underground line it is not considered necessary for the rear wall to be a 'living green' wall.

Impact on Amenity

The proposal is some 25m from the nearest residential property located on Lushes Road. The proposal will be visible from this area, but given the distance and since the underground line acts as a buffer between, it is not considered to result in any excessive loss of amenity. It is also noted that the nearest property (101 Lushes Road) sides onto the development and although there is a side facing window this appears to be obscured glazed in any event.

In terms of noise and disturbance, it is not considered that the proposed use will cause any excessive harm that cannot be controlled by conditions. It is considered that the proposed office use may result in less disturbance than the existing use. Conditions can be added with regards to opening times of the offices so that early/late noise is controlled for all new and existing residents. Although none have been provided by the applicant, it is considered that 07.00 – 20.00 Monday to Friday and 08.00 – 17.00 on Saturday's, Sunday's and Bank Holidays would be acceptable.

Details of any future air conditioning/extraction units etc. which may cause noise or nuisance can also be conditioned so that the Council has control over what may be installed in the future.

Parking and Highways

The Highways Officer has no objection to the proposal subject to a condition ensuring the access arrangements, vehicle parking and turning areas as indicated on the approved plans are implemented prior to occupation.

The parking proposed results in 22 parking spaces. This is below the suggested amount by the Essex Parking Standards, which states 43 spaces should be provided, however given the proximity of the site to Debden Underground Station and the bus services (particularly that serving The Broadway) it is considered that the proposed parking provision is more than sufficient given the sustainable location. The provision of ample cycle parking is welcome and encourages a more sustainable form of transport.

EFSAC and Air Quality

SAC and Air Quality

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 concludes that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development).

Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently the Council, as competent authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

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

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

1. The development has the potential to result in a net increase in traffic using roads through the EFSAC and therefore could have a likely significant effect on the EFSAC in relation to the atmospheric pollution impact pathway.

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 the atmospheric pollution Pathway of Impact.

Stage 2: 'Appropriate Assessment'

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 atmospheric pollution 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 IAMPS. 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 the two strategic employment allocations at Dowding Way and North Weald Airfield. The application will, however, be subject to planning conditions to secure site specific measures as identified in the IAMPS and these include a travel plan and electric vehicle charging points.

Conclusion:

The Council is satisfied that, subject to the imposition of relevant planning conditions, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Conclusion:

Given the above discussion, the proposal is considered on balance to be acceptable and approval subject to conditions is recommended.

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

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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:
1991/01 Rev F
1991/02 Rev F
1991/03 Rev E
1991/04

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

- 3 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 RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policies DM21 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 4 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.

- 5 No development shall take place until details of the arrangements for internal air extraction, odour control measures, noise levels, and discharge to atmosphere from cooking operations, including the location, appearance and finish of any external ducting and flues have been submitted to and been approved in writing by the Local Planning Authority. The approved details shall be installed before the use hereby permitted commences and so retained. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions for the lifetime of the development and operated at all times when cooking is being carried out.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment from the impact of cooking smells, odours and noise in accordance with policies CP7, DBE9 & RP5A of the adopted Local Plan 1998 & 2006, policies DM9 & DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 6 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 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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. The approved boundary treatment shall be implemented prior to the occupation of the development and thereafter permanently retained.

Reason: To ensure the safe movement of vehicles between the highway and off-street parking areas and to ensure a satisfactory appearance of the development, in accordance with Policies ST4 & DBE1 of the adopted Local Plan and Alterations 1998 & 2006, Policies T1 & DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 8 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.

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

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 10 The premises shall be used solely for office use and for no other purpose (including any other purpose in Class E(g) of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Reason: To ensure that full consideration is given by the Local Planning Authority to any alternative in the interests of safeguarding the amenity of neighbours and other users, in accordance with policy DBE2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 11 The use hereby permitted shall only be open to customers between the hours of 07.00 to 20.00 on Monday to Friday and 08.00 to 17.00 on Saturdays, Sundays and Bank Holidays.

Reason: In order to minimise disturbance to local residents, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 12 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.

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

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and
- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;

- c) The process and the triggers for identifying when additional passive charging points will become activated; and
- d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

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.

- 14 Prior to any above groundworks, details shall be submitted to the Local Planning Authority, to be approved in writing, for appropriate cycle parking for the proposal. The approved facility shall be secure, convenient, covered, and provided prior to the first occupation and shall be retained as such at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. 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, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 15 Tree protection shall be installed as shown on agb Environmental Ltd 'Tree Protection Plan' drawing number 'P3343.1 002 Rev A' (dated 30th May 2019) 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 policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

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

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

- 17 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.

18 The development shall be carried out in accordance with the flood risk assessment (Flood Risk Assessment, Ref P3343.3.0, 28th April 2020) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority. 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.

19 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development, have been submitted to and approved in writing by the local planning authority which:

- provide demolition details
- provide details for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) and superstructure
- provide details on the use of tall plant/scaffolding and lifting equipment
- there should be no opening windows or balconies facing the LU elevation
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

20 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.

21 A Workplace Travel Plan is to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development, which shall include the following details:

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

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies ST4, ST6 and NC1 of the Adopted Local Plan, policies T 1, DM 2 and DM 22 of the Local Plan Submission Version 2017 and the NPPF 2021.