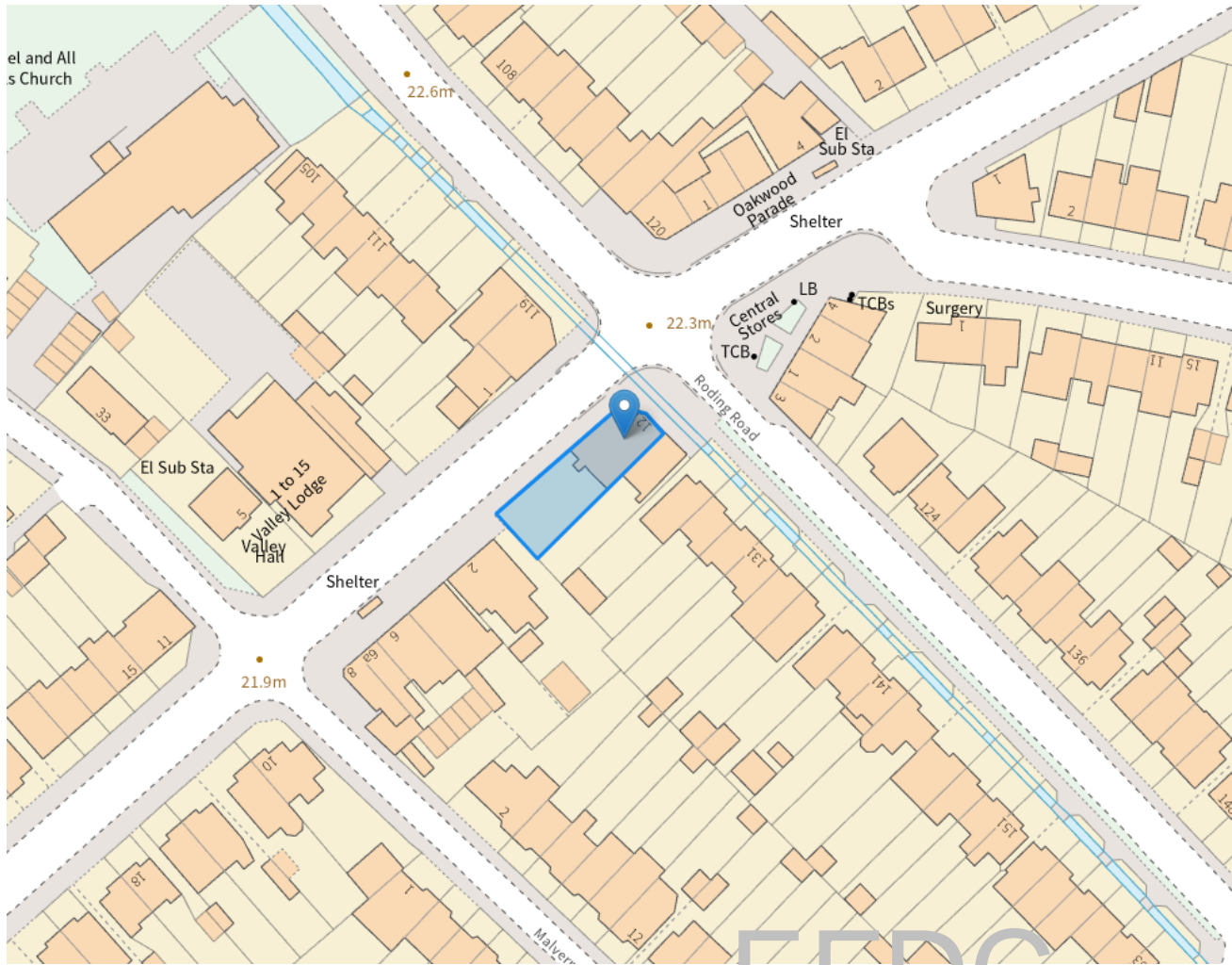




Epping Forest District Council

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Application Number:	EPF/1266/22
Site Name:	121 Roding Road, Loughton IG10 3BS

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OFFICER REPORT

Application Ref: EPF/1266/22
Application Type: Full planning permission
Applicant: Mr Digwa
Case Officer: Muhammad Rahman
Site Address: 121 Roding Road, Loughton IG10 3BS
Proposal: Extensions and alterations to provide 1x new retail premises on the ground floor and 5x new residential apartments over with associated amenity space.
Ward: Loughton Roding
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O1Cy>
Recommendation: Approve with Conditions

This application was deferred from the 16th November 2022 meeting for a Members site visit, which was arranged to take place on Saturday 10th December 2022.

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

Site and Surroundings

The site lies on the corner junction with Roding Road and Valley Hill in Loughton. It consists of a two-storey building with commercial units at the ground floor and residential above and a rear yard.

The site is designated as a local town centre within the adopted local plan Town Centre Hierarchy; however, it is not part of the hierarchy within the LPSV.

The building is not Listed, Locally Listed or set within a Conservation Area. It is partially located in Flood Zone 2. A protected tree lies adjacent to the site located on Valley Hill.

Proposal

The proposal is for extensions and alterations to provide 1x new retail (Class E a) premises on the ground floor and 5x new residential apartments over with associated amenity space.

The proposed retail unit would create an additional 110 sqm of floor space and the proposed opening hours are; 9am – 6pm on Mondays to Saturdays.

5 FTE employees are projected to be employed here.

The site would have a total of 7 residential units, 2 of which are existing (Flats 1 & 2). The proposed 5 units would be as follows;

1. Flat 3 = 1 bed – 2-person unit @ 50 sqm
2. Flat 4 = 1 bed – 2-person unit @ 50 sqm
3. Flat 5 = 2 bed – 3-person unit @ 63 sqm
4. Flat 6 = 2 bed – 3-person unit @ 61 sqm
5. Flat 7 = 1 bed – 2-person unit @ 50 sqm

All the above units including flat 1 will have access to their own private amenity space and flat 2 will have access to the common space.

An enclosed refuse and cycle storage is also proposed.

Relevant Planning History

EF\2021\ENQ\01082 – Pre-application for extensions and alterations to provide 6 x new one bed apartments with associated amenity space and 1 x new retail premises - Advice Given

EPF/1791/06 - Change of use from A1 to A2 - Refused

EPF/2235/05 - Change of use from class A1 to class A3 (Restaurant) - Refused

EPF/1796/99 - Two storey side extension to enlarge ground floor shop and first floor flat, rebuild single storey rear extension with parking and enlarged access at rear. (Revised application) - Approved with Conditions

EPF/1676/97 - Two storey side extension to provide addition to shop with two bedroom flat above and six car parking spaces to the rear - Refused

EPF/1070/98 - Two storey side extension to provide an addition to shop with a one bedroom flat above and 6 car parking spaces to the rear (amended application) - Approved with Conditions

EPF/1769/89 - Change of use of shop premises to veterinary surgery - Refused

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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:

CP2 Protecting the Quality of the Rural and Built Environment

CP7 Urban Form and Quality

H2A Previously Developed Land

H4A Dwelling Mix

DBE1 Design of New Buildings

DBE2 Effect on Neighbouring Properties

DBE3 Design in Urban Areas

DBE6 Car Parking in New Development

DBE8 Private Amenity Space

DBE9 Loss of Amenity

TC1 Town Centre Hierarchy

TC3 Town Centre Function

LL10 Adequacy of Provision for Landscape Retention

LL11 Landscaping schemes

ST4 Road Safety

ST6 Vehicle Parking

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

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

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

Paragraphs 108 & 109
Paragraphs 126 & 130
Paragraph 180

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 14th 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.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional Main Modifications, the highest weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following policies are relevant to the determination of this application;

H1 Housing Mix and Accommodation Types
T1 Sustainable Transport Choices
DM2 Epping Forest SAC and the Lee Valley SPA
DM3 Landscape Character, Ancient Landscapes and Geodiversity
DM9 High Quality Design
DM10 Housing Design and Quality
DM11 Waste Recycling Facilities on New Development
DM16 Sustainable Drainage Systems
DM19 Sustainable Water Use
DM21 Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality
E2 Centre Hierarchy/Retail Policy

Summary of Representations

Number of neighbours Consulted: 51. 12 response(s) received
Site notice posted: Yes

A re-consultation exercise was carried out on amended plans and only a handful of comments were received re-iterating the points set out below.

MULTIPLE OBJECTIONS RECEIVED inc. LRA Plans Group – Summarised as:

- Inadequate parking provision/Parking stress/Highway safety;
- Impact on EFSAC;
- Out of character;
- Overdevelopment;
- Drainage concerns;
- Loss of privacy/overlooking;
- Loss of light;
- Loss of outlook;
- Noise pollution; and
- Impact on trees.

LOUGHTON TOWN COUNCIL – In the absence of any resident comments to these amendments members expressed concern, as to whether neighbours had received their notifications, in light of the current postal strikes.

The Committee OBJECTED to this application, considering the amended plans failed to address its previous objections.

The Committee reiterated its previous comments which were:

“The Committee NOTED the contents of 12 letters of objection.

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

The Committee OBJECTED to this application stating the proposal was for five additional dwellings which would place extra stress on the EF SAC. Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet

be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we object to this application because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

Members also commented on the close proximity of the site to the Roding Road Nature Reserve, and the negative impact the extra pollution would have on that.

The application would set a precedent for additional floors being erected on buildings in this area. This site was a regular array of small local shops set in double storey buildings within close proximity to neighbouring double storey residential properties – not the High Road. The effect of this proposal would be detrimental to the amenity and outlook of neighbours, in particular the occupants of nos 123 – 133 Roding Road, and possibly beyond, who would suffer a sense of enclosure and loss of outlook to their rear gardens.

The proposal may be a car free development but that does not stop the occupants from having cars. The site is located at a very busy junction, where illegal double parking regularly occurs from both private and commercial vehicles. Buses were often unable to turn right into Valley Hill causing severe congestion and highway safety issues at this busy junction, which has resulted in several collisions. Although double yellow lines are in situ no apparent enforcement is taken in this area. The additional residences would exacerbate this problem. No consideration had been given either to allow safe waste removal from the site.

Members believed that any proposal needed to provide suitable parking for visitors and delivery vehicles to ameliorate these issues.”

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The vitality and viability of the Town Centre;
- c) Highway safety and parking provision;
- d) The impact to the living conditions of neighbours;
- e) Standard of Accommodation for future occupiers;
- f) Trees and Landscaping; and
- g) The impact on the Epping Forest Special Area of Conservation.

Character and Appearance

The scheme has evolved following concerns raised by the Councils Urban Design officer both at pre-app and application stage.

The proposed building would occupy a prominent corner plot at the junction of Roding Road and Valley Hill and be set in a varied street scene with a modern design that is considered to contribute positively to the character and appearance of the area, and the existing building. As such, it is not considered that the proposal would amount to harmful overdevelopment of the site. Rather the proposal, would enhance the visual amenity of the site, by making an effective use of an under-used yard.

In terms of scale, bulk and massing the proposed development is considered to be of a high-quality design and well thought out, with a clear distinction between the old building and new which helps maintain openness on Valley Hill, acting as a visual break between the proposed and existing building elements.

Whilst the additional storey (Mansard Roof) makes the scheme taller than the neighbouring context, the set back of the mansard roof has helped to reduce the overall dominance of the scheme on the street scene. The introduction of the new build element along Valley Hill helps to complete the street edge. Therefore, it is considered that the overall detailed design of the building and use of materials would be in keeping with the character and appearance of the area.

Accordingly, this development conforms to policies CP2, CP7 and DBE1 of the LP, and policy DM9 of the LPSV.

Vitality and Viability

The proposed retail unit is a welcome addition to the local parade making effective use of an under-used yard and would contribute to the vitality and viability of the local Town Centre.

Highway Safety and Parking Provision

Whilst there is no on-site car parking proposed, the site is nonetheless close to good public transport services and on-site cycle storage is proposed. It is approx. some 0.4 miles – 8-minute walk from Loughton Underground Station which runs approx. 10 trains per hour to Central London.

It is noted that the site is not distant from public open space, in the form of the Roding Valley Playing Fields, and that part of the commercial centre of Loughton High Road is within a reasonable walking distance. It is therefore concluded the site is in a relatively sustainable location.

Members should note that a comprehensive Parking Beat Survey was submitted along with this application to ascertain whether additional cars would add to the parking stress within this locality. Members will be very familiar with Parking Beat Surveys as they have been used for all the EFDC owned garage courts to housing.

From the highway officer's point of view, it demonstrates that there will be no detriment to highway safety if the development resulted in additional on-street parking in the vicinity, and that it will not result in an excessive level of parking stress (More than 90%) on the surrounding streets - namely Avondale Drive, Broomfield Avenue, Catherine Close, Cranleigh Gardens, Kenilworth Gardens, Malvern Gardens, Oakwood Hill, River Way, Roding Gardens, Roding Road, Southview Road, Southern Drive, Stonards Hill, Valley Close & Valley Hill.

Accordingly, it conforms to policy ST1, ST2, and ST4 from the LP, and policy T1 from the LPSV.

Moreover, the evidence of the survey and the Parking Standards themselves, which allow reductions in sustainable locations, are a strong case in favour of the proposal, and there is no contrary evidence to show that the development would create any detrimental harm as a result of on-street parking.

Living Conditions of Neighbours

The rear windows to the proposed first/second floor flats would be obscured glazed and privacy screens are proposed to the terraces and balconies to prevent any harmful overlooking to the rear gardens of No's 125 - 135 Roding Road.

The proposed building would be orientated towards the northwest, so there would be no material loss of daylight/sunlight to the amenities of No's 125 - 135 Roding Road.

The new building forms a u-shape to the rear elevation which breaks up the bulk and together with the visual gap from the rear gardens of No's 125 - 135 Roding Road there would be no harmful overbearing or visual impact that warrants a reason for refusal.

No other concerns are envisaged to neighbouring amenities.

Standard of Accommodation

The proposed units would meet the National Described Space Standards with access to their own private amenity space.

The proposed building is orientated toward the northwest, and the flats are dual aspect, so all rooms would receive adequate sunlight and daylight throughout the day. Any outlook for the future occupiers would be at a reasonable level given its location within an urban area.

A condition requiring the windows to meet the British Standards for sound insulation has been included to further protect any future users from harmful noise from neighbouring businesses and traffic.

Trees and Landscaping

The Council's Tree Officer has raised no objections to the proposal.

Impact on the Epping Forest SAC

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

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

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

Stage 1: Screening Assessment

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

- 1) 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. Consequently, the development

would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

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

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

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

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the 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. 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 proposed development would result in increased vehicular movements as while the development makes no on-site provision for car parking, it is on the basis that the nearby streets can accommodate additional on street car parking demand. Consequently, consideration will need to be given to appropriate mitigation measures to protect the integrity of the SAC in terms of air quality. 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.

Other Considerations

With regard to the concerns raised regarding the drainage. A pre-commencement condition requiring further details has been added. So, this element would be assessed post-application via an approval of condition application.

In terms of sustainability, the agent has set out the following;

In the attached roof plan, there is an indicative solar array. We are working towards incorporating electric radiators/underfloor heating (which can be supplemented by the PVs) and internal heat pump boilers to each new build flat as a more suitable alternative to ASHP. This would be an electrical only and energy efficient approach that avoids the need for external plant.

The above has been secured via a condition, i.e. further details will need to be submitted prior to any above groundworks.

Planning Balance & Conclusion

It is considered that the proposal makes efficient use of the space available in a highly accessible location. The proposal would add 5 units to the Councils housing supply which would also result in economic benefits derived from the construction and occupation of the homes and the use of the retail unit.

For the reasons set out above having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 legal agreement to secure mitigations for the EFSAC including monitoring contributions.

If you wish to discuss the contents of this report item please contact the case officer by 2pm on the day of the meeting at the latest.

Case Officer: Muhammad Rahman | mrahman@eppignforestdc.gov.uk. If no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Conditions: (22)

- 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: 1049.000, 1049.001, 1049.002, 1049.003, 1049.010, 1049.011, 1049.013, 1049.014, 1049.101B, 1049.102D, 1049.103E, 1049.104B, 1049.110E, 1049.111E, 1049.112A, 1049.113, and 1049.114.

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.

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 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.

- 5 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan has been submitted to and approved by the Local Planning Authority. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

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, and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 6 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.

- 7 Prior to any above groundworks, details of the solar array for the building and electric radiators/underfloor heating and internal heat pump boilers for the proposed residential units shall have been submitted to and approved by the Local Planning Authority, in writing. The development shall be carried out in accordance with the approved details and so retained.

Reason: To ensure the development contributes to supporting the District to be carbon neutral by 2030, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10, DM21 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 8 Prior to the first use of the balconies/terraces on the rear elevation, privacy screens as indicated on the approved plans no lower than 1.65 metres high shall have been installed and so retained.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

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

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.

- 12 Prior to the first occupation of the development the existing vehicular dropped kerb crossing for the site, on Valley Hill, shall be fully reinstated, including footway construction and full height kerbing as necessary.

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, in accordance with policies ST2 and ST7 of the adopted Local Plan and Alterations 1998 & 2006, policies T1 and DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 13 Prior to the first occupation of the development the refuse storage as indicated on the approved plans shall be fully implemented and shall be retained as such for the life of the development.

Reason: To ensure adequate provision is made in a suitable location in accordance with Policy DBE3 of the adopted Local Plan 1998 & 2006, Policy DM11 of the Local Plan Submission Version 2017, and the NPPF.

- 14 Prior to first occupation of the development, all external windows serving the habitable rooms of the residential units shall meet the British Standard BS 8233:2014 - Guidance on Sound Insulation and Noise Reduction for buildings - Code of Practice (or such other standard which may supersede it from time to time), and be retained in that condition in perpetuity.

Reason: To maintain reasonable levels of protection for the occupiers of the development from external noise and in accordance with policies RP5A and DBE9 of the adopted Local Plan and

Alterations and policies DM9 and DM21 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with 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.

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

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability 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.

- 17 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form & design & access statement.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE1 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

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

Reason To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households in accordance with Policy H1 of the Local Plan Submission Version 2017, and the NPPF.

- 19 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.

- 20 The premises shall be used solely for Class E (a) and for no other purpose (including any other purpose in Class E 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, unless agreed with the LPA via a planning application.

Reason: To ensure that full consideration is given by the Local Planning Authority to any alternative in the interests of safeguarding neighbouring amenities, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 21 The use hereby permitted shall only be open to customers between the hours of 9am to 6pm on Monday to Saturday and at no times on 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.

- 22 No deliveries shall be taken at or despatched from the site during the hours of 6pm - 8am on Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays.

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

Informatives: (3)

- 23 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.
- 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 or by post to:
SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive,
Brentwood, Essex, CM13 3HD.
- 25 This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.