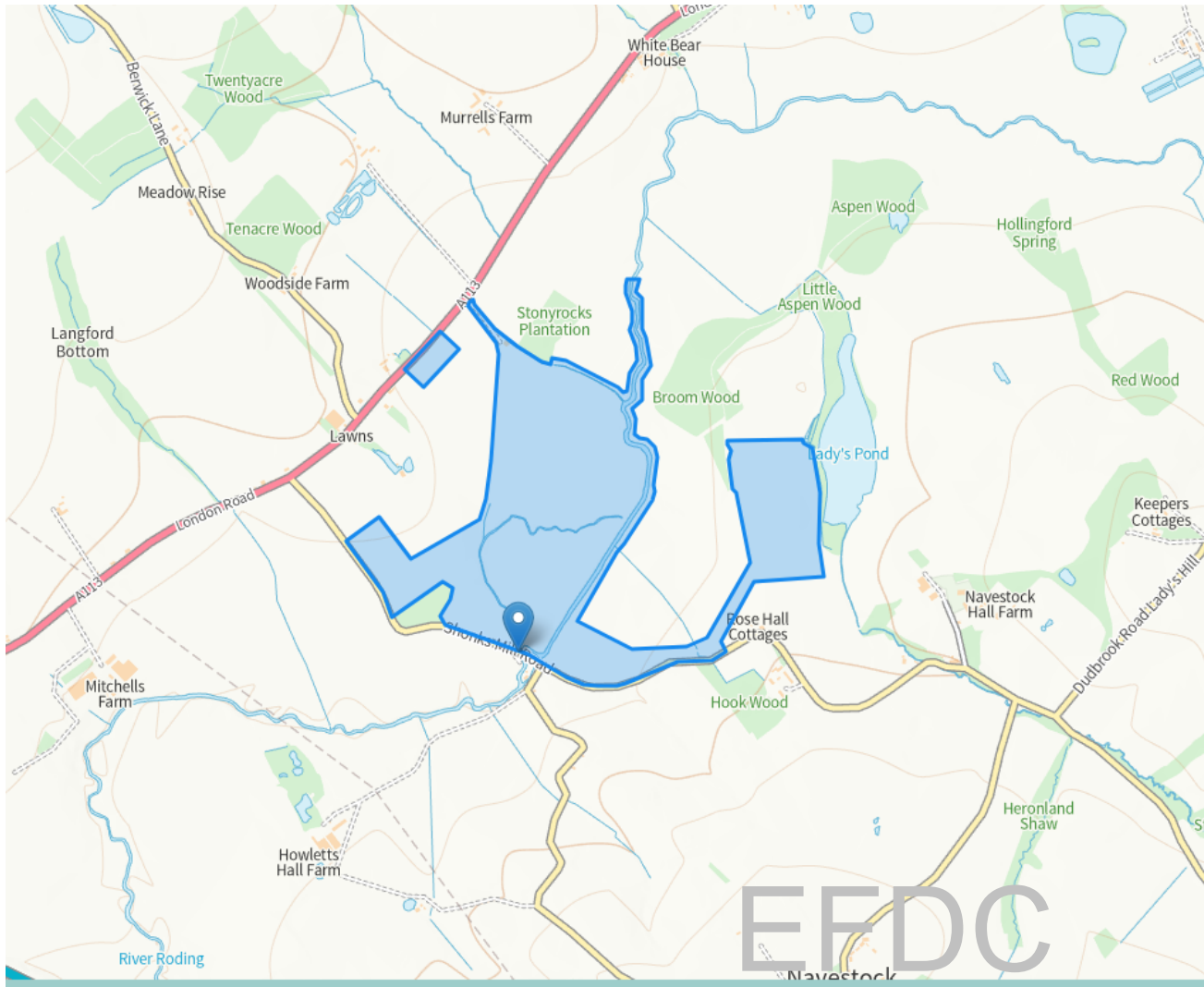




Epping Forest District Council

EFDC



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Application Number:	EPF/2702/22
Site Name:	Land North of Shonks Mill Bridge Shonks Mill Road, Stapleford Tawney

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OFFICER REPORT

Application Ref: EPF/2702/22
Application Type: Full planning permission
Applicant: Mr Luis Del Rio
Case Officer: Ian Ansell
Site Address: Land North of Shonks Mill Bridge, Shonks Mill Road, Stapleford Tawney
Proposal: A Hybrid planning application. Full planning application for a Flood Storage Area upstream of the M25 on land to the north of Shonks Mill Bridge, Shonks Mill Road, near Stapleford Tawney, Essex. It will provide protection for flood events up to the 1 in 200 year occurrence for properties downstream of the FSA, predominantly in the London Borough of Redbridge. Outline application for 2 replacement dwellings that need to be built to replace 2 that will be lost as part of the FSA.

Ward: Passingford
Parish: Stanford Rivers
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001UnEt>
Recommendation: Approve with Conditions

This application is before this Committee since it proposes a 'large scale' development as defined in Article 10 of the Constitution (Pursuant to Article 10 of The Constitution).

Description of Site:

The application site lies in an area of the River Roding valley located to the south-west of the A113 London Road, and north and east of Shonks Mill Road. The site covers an area of around 25 hectares within the District although the whole area affected by the development extends into the adjoining part of Brentwood District (and a separate application to Brentwood Council is currently under consideration).

The land is generally open in character with some wooded areas. Two small cottages, likely former farm worker dwellings, lie at the north western tip of the site, accessed from a track that also forms part of a public right of way. Outside of the site area, a small cluster of farm buildings and dwellings lie adjacent to London Road including listed buildings on the site known as Lawns.

All land within the application site lies within the Green Belt. Land along with riverside lies within Flood Zones, including a considerable section within Flood Zone 3.

Description of Proposal:

The application has two elements;

- A full application for the main works to introduce flood protection measures to the north of Shonks Mill Road to reduce flood risk further downstream, and
- An outline application for two replacement dwellings for those to be lost as part of the new flood storage area.

Flood protection scheme

Members will be familiar with the broad issues around flooding within the Roding Valley. The river responds rapidly to rainfall events, and large swathes of land throughout the District along the river's course are regularly under water during such spells. Major incidents of flooding have occurred further south, including the 2000 flooding in Woodford that damaged over 400 properties.

The River Roding Flood Risk Management Strategy was developed in 2012 to consider long term flood risk management options of the Roding and its main tributaries (including Cripsey Brook and Loughton Brook). The strategy has been further developed to take account of global warming forecasts and further technical, economic and environmental assessments of a long list of options initially identified. The sites were further refined over the subsequent period before the application site was eventually selected as the preferred approach.

The flood storage area as now proposed will; create capacity to store over 25,000 sq.m. of water above natural ground level. The principal works comprise:

- Construction of an earth embankment with a concrete double baffle orifice flow control structure across the Roding valley upstream (north) of Shonks Mill Road bridge;
- Diversion of the River Roding to facilitate construction of the flow control structure and to align the control structure with the culvert underneath Shonks Mill Road bridge immediately downstream of the embankment;
- Excavation and subsequent reinstatement of a borrow area to win fill material located upstream (north) of Shonks Mill Road and east of the River Roding;
- Various temporary site compounds and temporary access tracks used during construction.

The primary construction element would be the flow control structure. This sits within a concrete structure set into an earth embankment located north of Shonks Mill Bridge. Overall the embankment extends around 570m in length, is around 17m deep and at its highest point is around 4m above adjacent ground levels (at which point it is around 60m from Shonks Mill Road. An access track runs along the 5m wide crest, set around 0.5m below the top of the embankment to act as a spillway. In the centre lies the flow control gate, set within a gap in the embankment around 15m wide. This will only be fully closed when there is a flood management need.

The control structure is located around 70m west of the existing river course, and a channel is to be cut to link the watercourse through the development. The total length of the diversion, all of which will be in the existing open countryside, will be around 420m and incorporate meanders to introduce diversity and to slow the water flow.

All excavation of material to construction of the embankment is proposed within the immediate vicinity, much of it from land east of the river within the Brentwood DC area. The embankment is treated in a mix of hard and soft landscaping, and additional screen planting abutting. Much of the road facing side of the embankment will be finished with grasscrete infilled with hardy native species in order to facilitate the function of this face as an overspill area. A mix of trees and hedges are proposed in the foreground. Following construction, access is required for maintenance and monitoring only, no permanent staffing is required and this is reflected in the vehicle access and parking arrangements.

Replacement dwellings

The flood relief works will require the demolition of two dwellings at 157 and 159 London Road as these will fall within the flood storage area. These dwellings are in private ownership.

The application therefore seeks outline permission to replace the dwellings on land understood to be in the same ownership as the existing dwellings to the south west. An existing field entrance 120m from the current residential access will form a new residential entrance with the dwellings sited south-west

thereof. The red line site are comprises around 4,571 sq.m. of which around 800 sq.m is shown as the domestic curtilage. The access and parking area lie in front of the dwellings and the wider site includes an area for landscaping and a SuDS attenuation pond. The illustrative layout shows dwellings and outbuildings with the same footprint as the existing houses, and a similar domestic curtilage, albeit in a more regular shaped form. The outline element of the application seeks only to deal with access and footprint at this time.

The application is accompanied by a range of supporting documents and additional material, some of which has been amended during the application process. These include Design & Access Statement for both elements, Arboricultural Impact Assessment, Contaminated Land Assessment, Ecology and Biodiversity Survey, Flood Risk Assessment, Habitat Regulation Assessment, Heritage Assessment, Landscape and Visual Amenity Appraisal, Planning Statement, Surface Water Drainage Strategy, Sustainability Appraisal, Lighting Assessment, Flood Mitigation Option Review and Strategic Appraisal, and Water Framework Assessment.

Relevant History:

Lawful development certificates were issued in 2021 (EPF/0475/21 and EPF/1215/21) for extensions to the existing dwellings. As these have not been implemented, they have been excluded from the volume and footprint calculations in relation to the replacements.

Policies Applied:

Epping Forest Local Plan 2011-2033 (2023);

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

- SP1 Spatial Development Strategy
- SP2 Place Shaping
- SP5 Green Belt and Local Greenspace
- SP6 The Natural Environment, Landscape Character and Green and Blue Infrastructure
- H3 Rural Exceptions
- T1 Sustainable transport choices
- T2 Safeguarding of routes and facilities
- DM1 Habitat Protection and Improving Biodiversity
- DM2 Epping Forest SAC and the Lee Valley SPA
- DM3 Landscape Character, Ancient Landscapes and Geodiversity
- DM4 Green Belt
- DM5 Green and Blue Infrastructure
- DM7 Historic Environment
- DM9 High Quality Design
- DM15 Managing and reducing Flood Risk
- DM16 Sustainable Drainage Systems
- DM17 Protecting and enhancing Watercourses and Flood Defences
- DM18 On-Site Management and Reuse of waste water and water supply
- DM19 Sustainable water use

DM20 Low Carbon and Renewable Energy
DM21 Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality
D1 Delivery of infrastructure
D2 Essential facilities and services
D3 Utilities

NPPF (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.

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

- 2 Achieving sustainable development – paragraphs 7, 8, 10, 11, 12
- 8 Promoting healthy and safe communities – paragraphs 92, 97, 100
- 9 Providing sustainable transport – paragraphs 104, 107, 108, 110, 111, 112, 113
- 11 Making effective use of land – paragraphs 119, 120, 122, 123, 124
- 12 Achieving well designed places – paragraphs 126, 130, 131, 132, 135
- 13 Protecting Green Belt land – paragraphs 137, 138, 141, 143, 147, 148, 149
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159 – 169
- 15 Conserving and enhancing the natural environment – paragraphs 174, 175, 179 - 182, 183, 185, 186
- 16 Conserving and enhancing the historic environment – paragraphs 194, 195, 197, 199 – 205, 208
- 17 Facilitating the sustainable use of minerals – paragraphs 213, 214

Consultation Carried Out and Summary of Representations Received

Date of site visit: 16 January 2023

Number of neighbours consulted: 18

Site notice posted: 16 January 2023

Responses received: Two neighbour responses have been received from residents in the Brentwood DC area:

A resident at Rose Hall Cottages, Shonks Mill Road comments primarily on matters relating to construction disturbance, site security, and issues relating to existing uses on the land forming part of the borrow pit for construction. Most of these matters are not material to the application, and relate to the Brentwood DC application (the resident confirms their comments have been sent to Brentwood DC as well).

A resident is Dudbrook Road, Kelvedon Common comments on matters relating to Lady's Pond. However, this area is part of the land outside of the District and is a matter only for Brentwood DC to consider as part of the parallel application.

Representations have also been received on behalf of the owner of 157 and 159 London Road raising a number of specific issues;

- Flood modelling is incomplete and fuller details are required to assess the impact fully. The comments argue that full flood modelling should be made available for further comment.
- Where the application refers to livestock fencing, it should be noted that the will be permanent.
- The case for the replacement dwellings amounts to very special circumstances in relation to Green Belt policy, the benefits outweighing the harm, permanent loss of the dwellings would impact housing delivery objectives.
- Conditions relating to the replacement dwellings should provide that the replacement can be implemented in such a way that the existing occupiers can be re-housed in the new dwellings.
- The representation questions the reference to ongoing landscape maintenance beyond the initial five years after completion, the landowner has not committed to taking this obligation forward

Parish Council: Stanford Rivers Parish Council commented in detail as under:

Outline application for 2 replacement dwellings:

The Parish Council is generally not in favour of building new dwellings in the Green Belt, however when taking into account the very special circumstances of this case it feels there is no alternative but to relocate the properties located at 157 and 159 London Road given that both are identified as being susceptible to flooding as a direct result of the proposals. Whilst in principle the Parish Council has no objection to the proposed location of these new properties, it does have concern that they are extremely close to the new flood area, and would like to see clear evidence that they will not be at risk of flooding. Consideration should also be given to moving them further away from the flood storage area towards Passingford Bridge. In principle the Parish Council has no objection to this part of the application, however will expect to see full detail in terms of safe access – ingress and egress – for the site, as well as evidence that this is a suitable location in terms of flood risk. In addition, the Parish Council will expect a condition imposed on any permission given that the new properties should be built to a liveable standard prior to the current properties being demolished – this is to ensure limited disruption to the residents of 157 and 159 London Road – and that once the new properties are built, the old properties must be demolished.

Full Application for Flood Storage Area

The Parish Council has a number of concerns regarding this application which it feels should be addressed and clarified before the Local Planning Authority issues its decision. There is no doubt that the creation of this flood storage area will increase flooding risk to the properties in both Stanford Rivers and Navestock, and every possible measure should be taken to ensure residents of both parishes do not suffer a detriment or disadvantage as a result of these works. It is also clear that the benefit to residents downstream in the London Borough of Redbridge seems to outweigh the additional risks to those residents in both Stanford Rivers and Navestock, especially the additional financial burden that they will undoubtedly face due to the increased risk of flooding (insurance costs). This is evident by the phrase within the submitted documentation which states that 'Overall the development was found to reduce flood risk downstream and any increases in flood risk are insignificant compared to the benefits provided by the scheme'. The Parish Council would like the following matters given full consideration before a decision is made:

- It is clear from the submitted documentation that the modelling needs further updating, the last set of modelling being completed in 2018. On 10th November 2022 members of the EA team managing this project gave a presentation to the Parish Council at which they confirmed that further modelling was needed and would be undertaken, however this does not form part of this application and as such one cannot be confident in the data submitted. In addition, the EA team seemed unaware of the problems experienced over the last 2-3 years with flooding across the A113 near to Traceys Farm, rendering the

A113 impassable. This has also been a historical problem on the A113 near Bridge Farm. The Parish Council would expect that the Local Planning Authority will want to see evidence from the EA that the proposal will not exacerbate the prevalence of flooding at both these locations. In essence, what modelling has been completed to ensure that the new flood storage area will not increase the prevalence of this flooding along the A113.

- There is expected to be a relatively long period of construction works during which a considerable amount of soil and mud will be moved. This will increase traffic on the A113 and the possibility of congestion. Should permission be granted, there should be clear conditions imposed to ensure the main road network is not unduly impacted, and neither are residents. Suggested conditions include:
 - o Wheel Washing – to ensure no debris is deposited onto the A113 / Shonks Mill Road
 - o Strict hours of operation during construction phase – to ensure limited impact on residents, with works limited to Monday to Friday 9am to 6pm, with no Saturday or Sunday operation.
 - o Making good of any damage to road surfaces – should there be any damage to Shonks Mill Road or the A113, the contractor must repair and make good any damage that has occurred.
- After liaison with our Neighbouring Parish, Navestock, the Parish Council would not support formal access to or from the site either during construction or when the site is operational from the Parish of Navestock, for reasons that the rural roads are unsuitable for such traffic. This should be controlled by way of a condition attached to any permission given.
- The Parish Council would expect that any compound used for the parking or storage of vehicles should be sited in a suitable location away from residential properties.
- The Parish Council expects to see some form of financial benefit provided to the Parish Council by way of a S106 agreement that would be put towards local projects for the benefit of local residents as a direct result of the disruption they will experience.

Navestock Parish Council have also objected to the application as under:

- The Upper Roding and Shonks Mill modelling studies were conducted in 2015 and 2018, how confident can we be regarding their validity in 2023? Also, given the protracted nature of the project, is the Jacobs modelling software used reflective of the latest dataset surrounding flood risk?
- Will all site traffic only access the area via the A113 and if so, how would this be enforced? The prospect of large vehicles attempting to negotiate access through the narrow lanes of Navestock would be both extremely dangerous and damaging to the already poor road surfaces.
- Will Shonks Mill Road remain open at all times, as there are serious safety concerns for through traffic on this narrow road? Should there be restricted usage or even temporary diversions, it should be made clear that Mill Lane (single track) is totally unsuitable for larger vehicles and should be signposted accordingly.
- Will site staff be parking within the works area only, as unrestricted parking on Shonks Mill Road will only add to our safety concerns?
- The Rose Hall Cottages track that is marked as 'occasional access for plant deliveries' currently allows no access to unauthorised vehicles onto the surrounding fields. This is due to trenches and a concrete block installed by the local farmer, a necessity to stop frequent (almost daily at one point) hare coursing, poaching and unauthorised quad bikes. If this is to be used as an access point without consideration to securing the area, it will allow these illegal activities to recommence.
- If heavy machinery is used on this concrete track, will it and the entry point from Shonks Mill Road be reinstated to its original condition once work is completed?
- The secondary access point for maintenance once works are finished in Shonks Mill Road is currently a hotspot for fly tipping, will steps be taken to mitigate this problem? If the area is enlarged as proposed by removing vegetation to increase space for vehicles to access the gates, surely this issue will be exacerbated.
- There is also a very strong possibility that the plant on site will bring unwanted attention to the location, as is evidenced by frequent stealing of machinery and tools in the local area. How would this be addressed?
- The haul road and borrow works compounds are much too close to Rose Hall Cottages given the 6 days a week operation plus overall length of works envisaged.

- Residents living within very close quarters of the earthworks should be given due consideration for the amount of noise and dust that they will incur for a possible 6-month period or longer? Should this be during the summer months with the wind in the wrong direction, they will most likely be unable to open windows plus everything will be covered in a layer of dust. Due to the 'open' nature of the area it is possible gardens will be unusable whilst this is taking place.
- Documents show that the dam will most likely be classed as category A, however this isn't confirmed as yet. What assurances will the residents located immediately downstream of the dam receive (Shonks Mill House, Millers Cottage and Riverside)? This does also lead to the longer-term question of said Navestock residents being severely disadvantaged, both in terms of likely insurance premiums plus value of their properties.
- Should the project proceed, what security is envisaged during / post construction given the remote location of the site, is CCTV under consideration? Any CCTV should be connected to the BBC monitoring system and be part of the proposed Navestock "ring of cameras" currently being deployed.
- As part of security there is likely to be permanent lighting during construction, how will this be mitigated to protect residents who have a general right to peace and tranquility?
- It appears that lighting will be installed for maintenance purposes post construction. Is this aesthetically acceptable for such a rural (Green Belt) location?
- Will there be a section 106 agreement or CIL applied so that Navestock residents will see benefits post construction?
- Navestock Parish Council trust that the planning application will be afforded the same level of scrutiny that any private scheme would receive.

Brentwood DC were also consulted and chose not to comment in advance of consideration of the application before them.

Main Issues and Considerations:

Strategic context

While potential direct amenity impacts arising from the development are local, the application needs to be considered in the wider context. As set out above, the application has been evolving since flood events downstream first identified a need to secure flood prevention measures, focused by the 2012 Flood Risk Mitigation Strategy. The River Roding has a long history of flooding and it is estimated that more than 1,500 properties adjacent to the river are at risk, particularly in the urban areas to the south. Once climate change is taken into account, there would be further increased risk of breach of the existing flood defences. Recent surface water flooding experiences in and around Ongar along the Cripsey Brook (a major tributary of the Roding) provides anecdotal evidence that supports the need for additional capacity within the wider Roding zone of influence.

Officers have been involved in the evolution of the scheme through a pre-application process that has been ongoing since 2018. The wider project has examined potential locations from the river's source near Stansted through to the edge of the more urban area. As a result of that process, factors including the topography of the land subject of the application and resultant flood storage capacity, the proximity to a road access, the extent of the alterations required to the land and the watercourse, and existing infrastructure in the area, all contributed to this location emerging as the preferred option.

Given the significant strategic importance of the project therefore, considerable weight should be given to the wider flood management implications.

Green Belt

The two elements raise separate issues around development in the Green Belt, although ultimately any justification relies on the same case as to whether very special circumstances exist.

The flood storage scheme should be considered to be an engineering operation – such a definition would usually cover construction work not resulting in a building being erected. Paragraph 150 of the NPPF 2021 states that engineering operations can be considered as not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Guidance is not provided on the scale and form of such works that may be appropriate, as each operation can be expected to be sufficiently unique to be considered on its merits.

The scale and extent of the works are significant in the general context of the location. The embankment will introduce a noticeable change in the local landscape in its height and extent, and this will initially have a noticeable visual impact until the landscape has matured; even thereafter the areas of hard surface materials within the scheme would remain prominent.

However, the works do not contain any significant buildings beyond the control gates themselves. The other works are limited - a small electricity kiosk, single track access roads and small parking and turning areas. The lower edge of the embankment is set back from the road by 30 metres, and the crest by around 60 metres. Significant landscape works will further screen the engineering elements. Thus, the land remains open in character. Consistent with the surroundings which vary in levels albeit in a more natural form. Further, the works cannot be considered to conflict with any of the key purposes for including the land in the Green Belt, as set out in paragraph 138 of the NPPF.

The arguments in relation to the replacement dwellings are more finely balanced. The construction of new dwellings in the Green Belt is regarded as inappropriate. Paragraph 149(d) of the NPPF specifically includes as an exception to inappropriate development the replacement of a building, providing the new building is *in the same use and not materially larger than the one it replaces*. It does not specify however that the replacement must be in the same location, although it is intended that such replacement should not have a materially greater impact on openness.

The loss of the existing dwellings is almost unavoidable, these lie within a lower lying area which could potentially become flooded in extreme events. A number of mitigation options have been considered including installing a bund around the dwellings, jacking the buildings and rebuilding at a higher level in situ. These have however been discounted as the buildings would remain vulnerable, and associated works would be required to also protect the access that would further add to cost and delay. Any such works would also require existing occupiers to be housed elsewhere during construction.

A number of alternative locations have also been considered, covering land within the ownership of the existing residential landlord. The current application site was favoured being in relatively close proximity to the existing dwellings, close to other dwellings, utilising an existing field access from London Road and being deliverable in the timeframe of the wider development.

Little weight is attached to the arguments in the representations in relation to the loss of the dwellings in housing supply terms – the loss of two dwellings would not impact housing delivery targets and would be swiftly balanced by other new homes being approved. Policy SP1 (D) (vi) of the Local Plan resists any net loss of homes unless it can be *'demonstrated that the benefits of doing so will materially outweigh the harm'*.

The Green Belt balance should take account of the above issues, and the very special circumstances that seek to justify the application, as set out above in terms of the site selection process and the significant benefits along the course of the Roding and its main tributaries. Officers conclude that there will be a change in the visual character of the immediate area around the embankment, but the landscaping works will lessen this harm. The new residential element can be viewed as a replacement of existing buildings that meet the key tests of paragraph 149 (d) in terms of scale, mass and use and while more visually prominent the overall impact on openness is tempered by the presence of other residential buildings in the vicinity. Thus, harm is limited, and therefore substantially outweighed by the benefits of allowing the development.

Visual impact, trees and landscape and ecology

The development is supported by a detailed landscape led design. The application identifies five key landscape opportunities:

- Creation of meadow grassland and wildflower meadows, which also creates biodiversity net gain,
- Low level grassland and planting on the embankment to soften the appearance but does not affect function or inhibit inspection and maintenance
- New tree, hedge and scrub planting around the area of the embankment to break up the visual mass,
- Maintain the river corridor habitat and establish new habitat along the new river channel,
- Creation of wetland habitats including ponds, scrapes and backwaters.

Evidently there is a change in landscape character given the existing character of farmland and fields which runs along both banks of the river at this point. In the wider context however, the landscape is significantly more varied, including areas of woodland and generally undulating ground. The works introduce a more managed style of landscape, but overall it remains a predominantly open environment consistent with the surrounding character.

Extensive research has been undertaken to identify existing habitats within the wider area and the application provides sufficient evidence what impacts the development will have on nearby designated sites of ecological interest, and that appropriate mitigation measures can be secured to make the development acceptable. A wide range of biodiversity enhancements are recommended that will result in net gain including in the creation of new habitats and wetland areas, and provide new provision for bats, birds and invertebrates. Subject to appropriate conditions therefore, development can be considered appropriate in its consideration of local ecological interests.

Heritage and conservation

The large extent of the site is noted by the applicant to be within the wider setting of fourteen Grade II Listed buildings comprising Medieval and Post-Medieval farmsteads, cottages and public houses.

Long range views of the proposed development will be visible from the rear area of the Grade II Listed group of buildings associated with the site of 'Lawns'. These designated heritage assets are positioned in close proximity to the road with the rear of the associated plot being occupied by a mid-20th century agricultural building of low significance, approximately 180m from the road. Additionally, the Listed buildings in this group are screened by dense vegetation and do not enjoy direct views of the proposed site located further to the south. Thus, the setting, including views to and from this group, will be adversely impacted to an unacceptable degree by the proposed development.

The Grade II Listed group of buildings associated with 'Rose Hall' are located approximately 250m east from the start of the secondary access road for the proposed development. This group is located just outside the boundary of Epping Forest District. Nevertheless, views to and from these designated heritage assets are not considered to be adversely impacted as the area of the site is heavily screened by both a historic woodland and dense vegetation along the road.

Similarly, by virtue of their distance from and limited intervisibility with the proposed site, the setting of the remaining designated heritage assets further north along London Road would not be affected or adversely impacted by the proposed development.

Residential amenity

Representations from local residents in relation to the application are limited to comments about construction issues, and matters falling within the scope of the parallel application with Brentwood DC. Few direct amenity issues arise in any event; the key works are remote from most dwellings, the

completed works will generate few vehicle and pedestrian movements, and the operation of the system will not generate noise or other disturbance.

Highways

The works have limited highway impact. The new access points for the flood embankment are sited to allow adequate visibility onto the road, which carries limited through traffic. The residential access already exists and will require minimal alterations to the boundary hedge to allow for visibility splays on the fast moving London Road.

Subject to conditions therefore, the proposals are acceptable on Highway grounds.

EFSAC

The site lies outside of the main areas of the EFSAC, at around 7.6km from the main areas. A Habitat Regulation Assessment accompanies the application, which recognises that most activity will be linked to the routine maintenance and monitoring of the river and the control system, similar monitoring and maintenance of the existing water course and bridge already occurs. The residential element simply relocates vehicle source within a short distance of the existing. As a result, vehicles movements through the EFSAC area are not imp-acted, as set out below:

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.

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the Local Plan. 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 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). 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.

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

1. The site lies outside of the 6.2 km Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development will not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development would not result in a net increase in traffic using roads through the EFSAC. Therefore the proposal will not result in a likely significant effect on the integrity of the EFSAC as a result of atmospheric pollution.

3. On this basis the Council is satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal.

Other matters

The historic use of the land for agriculture makes it likely that contaminants will be present within the ground, and this is confirmed by preliminary soil testing. More detailed analysis will be required and can be dealt with by condition.

The application includes broad measures in relation to surface water drainage, which are considered acceptable in principle, more detailed analysis is required of the potential for infiltrating local clay soil, and any measures to deal with foul sewage. Once again a condition can deal adequately with this issue.

A number of consultation responses refer to the stage flood modelling being incomplete. This is not surprising in an application of this complexity, and will continue to evolve as the project further evolves and any localised issues are identified and resolved, for example the extent of any contamination remediation and the redirecting of the watercourse. The application identifies the extent of the proposed flood plain and the key issues therein. Any variation to the extent of the flood plain that may be required as a result of the detailed design would need to be reconsidered by way of an amended application. At this time, the flood modelling is sufficient for the application to be determined.

Conclusion:

The application represents a significant local infrastructure project impacting not only the area of Stanford Rivers, but also the wider watercourse. The River Roding and its tributaries are prone to flooding and while the existing flood plain continues to deal with most such incidents, recent experience supports the case that changes to the local physical environment from development and global warming requires a more long-term solution is put in place.

The proposals before Members represent the culmination of over 10 years evolution of the scheme, including an exhaustive review of options. The application site meets most of the project's aims. The balance lies in the potential impact development may have on the Green Belt. As set out above however, that impact is limited – the engineering operation is acceptable in broad terms, while the dwellings can be considered as replacements. Therefore the impact on the Green Belt is outweighed by the wider benefits.

Taking account of all other material considerations, and the mitigation measures in landscape and ecological benefits, the proposals are recommended for approval.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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

Conditions: (38)

FULL (FLOOD STORAGE AREA) ELEMENT

- 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:

ENVIMSE500156-JAC-XX-3A1-DR-Z-0101
ENVIMSE500156-JAC-XX-3A1-DR-Z-0106
ENVIMSE500156-JAC-XX-3A1-DR-Z-0108
ENVIMSE500156-JAC-XX-3A1-DR-Z-0109
ENVIMSE500156-JAC-XX-3A1-DR-Z-0120 to 0126
ENVIMSE500156-JAC-XX-3A1-DR-C-0301
ENVIMSE500156-JAC-XX-3A1-DR-C-0302
ENVIMSE500156-JAC-XX-3A1-DR-C-0501
ENVIMSE500156-JAC-XX-3A1-DR-C-0502
ENVIMSE500156-JAC-XX-3A1-DR-C-0503
ENVIMSE500156-JAC-XX-3A1-DR-GT-0601
ENVIMSE500156-JAC-XX-3A1-DR-GT-0603
ENVIMSE500156-JAC-XX-3A1-DR-C-0701
ENVIMSE500156-JAC-XX-3A1-DR-L-0801
ENVIMSE500156-JAC-XX-3A1-DR-L-0802
ENVIMSE500156-JAC-XX-3A1-DR-L-0810
ENVIMSE500156-JAC-XX-3A1-DR-L-0811
ENVIMSE500156-JAC-XX-3A1-DR-L-0813
ENVIMSE500156-JAC-XX-3A1-DR-L-0814
ENVIMSE500156-JAC-XX-3A1-DR-RD-0901
ENVIMSE500156-JAC-XX-3A1-DR-RD-0902
ENVIMSE500156-JAC-XX-3A1-DR-RD-0903
ENVIMSE500156-JAC-XX-3A1-DR-RD-0905
ENVIMSE500156-JAC-XX-3A1-DR-RD-0906
56-JAC-XX-3A1-DR-L-0807
ENVIMSE500156-JAC-XX-3A1-DR-PL-3001-S2-P06-B1300-EA3-LOD3
ENVIMSE500156-JAC-XX-3A1-DR-PL-3003

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

- 3 A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

4 No development shall commence until:

- a) the hydraulic modelling undertaken by Jacobs has been updated and run for the higher central climate change allowance to assess impacts on Stanford WwTW; and
- b) the updated hydraulic model has subsequently been reviewed in detail by the Environment Agency.

Reasons: In order for the Environment Agency to be content that the hydraulic modelling undertaken for the Flood Storage Area satisfies all technical requirements, and to accord with policy DM15 of the adopted Local Plan 2011-2033(2023) and the NPPF 2021.

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

Reason: To ensure satisfactory provision and disposal of foul and surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 No development to commence until an updated protection zone plan, following camera trap monitoring has taken place in advance of the work, has been submitted to the local planning authority. The plan must consider the whole duration of the development, from the construction phase through to development completion. Thereafter the following onsite working arrangements will be adhered to:
- Ground trenches to be filled in prior to the end of the working day or left with a plank leaning up from the base of the trench to the surface so as to provide a means of escape for any entrapped animals.
 - Avoid working during hours of darkness and within two hours of sunrise and sunset. Work to adhere to the Institute of Lighting Professionals Notes for the Reduction of Obtrusive Light GN01:2011.

Reasons: To protect the European Otter and its habitat within the development site, and to avoid disturbance, in accordance with policy DM1 of the Local Plan 2011-33 (2023), and the NPPF 2021.

- 8 Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s17 Crime & Disorder Act 1998 policy DM1 of the adopted Local Plan 2011 2033 (2023) and the NPPF 2021.

- 9 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the Local Plan 2011-2033 (2023) and the NPPF 2021.

- 11 Prior to any above ground works to the flood storage embankment, 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 requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Constraints Assessment (Mott MacDonald, September 2016), PEA Addendum (Jacobs, October 2020), Ecology Survey Report (Jacobs, November 2022) and Otter Monitoring Report (ENVIMSE500156-JAC-ZZ-3A1-RP-EN-0012) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

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

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

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

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 Unless otherwise provided for in the application, all material excavated from the below ground works hereby approved shall be removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies DM9, DM12 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 17 All ground works and deliveries shall be in accordance with the submitted Construction Works Phase Project Execution Plan. The Plan shall be adhered to throughout the construction period unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that appropriate parking and turning on-site is provide and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPPF 2021

- 18 The access arrangements, as shown in principle on Jacobs drawing no. ENVIMSE500156-JAC-XX-3A1-DR-RD-0902 Rev P03 & drawing no. 0903 Rev P02, shall be fully implemented and retained as such for the life of the development. All details to be agreed with the Highway Authority.

Reason: To ensure safe and appropriate access is provide to the site and improved accessibility for the locality in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPPF 2021.

- 19 Appropriate vehicle parking and turning areas, as indicated on Jacobs drawing titled 'Contractor's Temporary Working Areas and Access' shall be provided and retained as such for the duration of the construction period.

Reason: To ensure that appropriate parking and turning is provided in accordance with the Highway Authority's Development Management Policies, adopted as County Council

Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPF 2021.

OUTLINE (RESIDENTIAL) ELEMENT

- 20 The residential development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 21 below, whichever is the later.

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

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

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

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

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

development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

Reason: To ensure satisfactory provision and disposal of foul and surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

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

- 25 Prior to any above ground works on the residential development, 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 requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 26 Prior to first occupation of the residential development hereby permitted a plan indicating the position, design, materials, and type of boundary treatment to be erected, shall have been submitted to an approved by the Local Planning Authority, in writing. The approved boundary treatment shall be implemented prior to the occupation of the development and so 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 T1 & DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

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

- 28 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 residential site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

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

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

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 30 Prior to any above groundworks on the residential site, all material excavated from the below ground works hereby approved shall have been removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies DM9, DM12 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 32 Prior to first occupation of the residential development hereby approved, 1 Electric Vehicle Charging Point shall be installed to each dwelling and retained thereafter for use by the occupants of the site.

Reason: To help support improvements to air quality in accordance with Policies T1 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 33 Prior to the first occupation of the residential development the access arrangements, as shown in principle on Jacobs drawing no. ENVIMSE500156-JAC-XX-3A1-DR-PL-3003 Rev P02, shall be fully implemented and retained as such for the life of the development.

Reason: To ensure that appropriate access is provided in the interests of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPPF 2021.

- 34 Any gates provided at the residential vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPPF 2021.

- 35 No unbound material shall be used in the surface treatment of the residential vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Local Plan 2011-2033 (2023), and the NPPF 2021.

- 36 Within two months of the first occupation of the residential buildings hereby permitted, the existing dwellings shall be removed in the entirety and all resultant material shall be removed from the site.

Reason - The replacement dwellings are only acceptable as replacements within the Green Belt, and retention after occupation would have an adverse impact on the openness of the Green belt contrary to policy DM4 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 37 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A, AA, B, E and F of Part 1 to Schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties and the Green Belt, in accordance with Policy DM4 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 38 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the residential development site forward of any wall of that dwellinghouse which fronts onto a road, without the prior written agreement of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area, and in the interest of highway safety, in accordance with Policies T1, DM4 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (3)

- 39 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.
- 40 Note: Under the Land Drainage Byelaws of this Council, Land Drainage Consent is also required before any work commences. Please contact the Land Drainage team on 01992 564000 for application forms. The grant of planning permission does not imply the automatic grant of Land Drainage Consent.
- 43 This informative is requested by the Highway Authority:
- i. Please note that these comments only refer to the proposed accesses within the Epping Forest District, and not the access located in the Borough of Brentwood to the east of the River Roding.
 - ii. There shall be no discharge of surface water onto the Highway.
 - iii. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over Public Footpath no.47 Stanford Rivers, shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
 - iv. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant

and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

v. 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

vi. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.