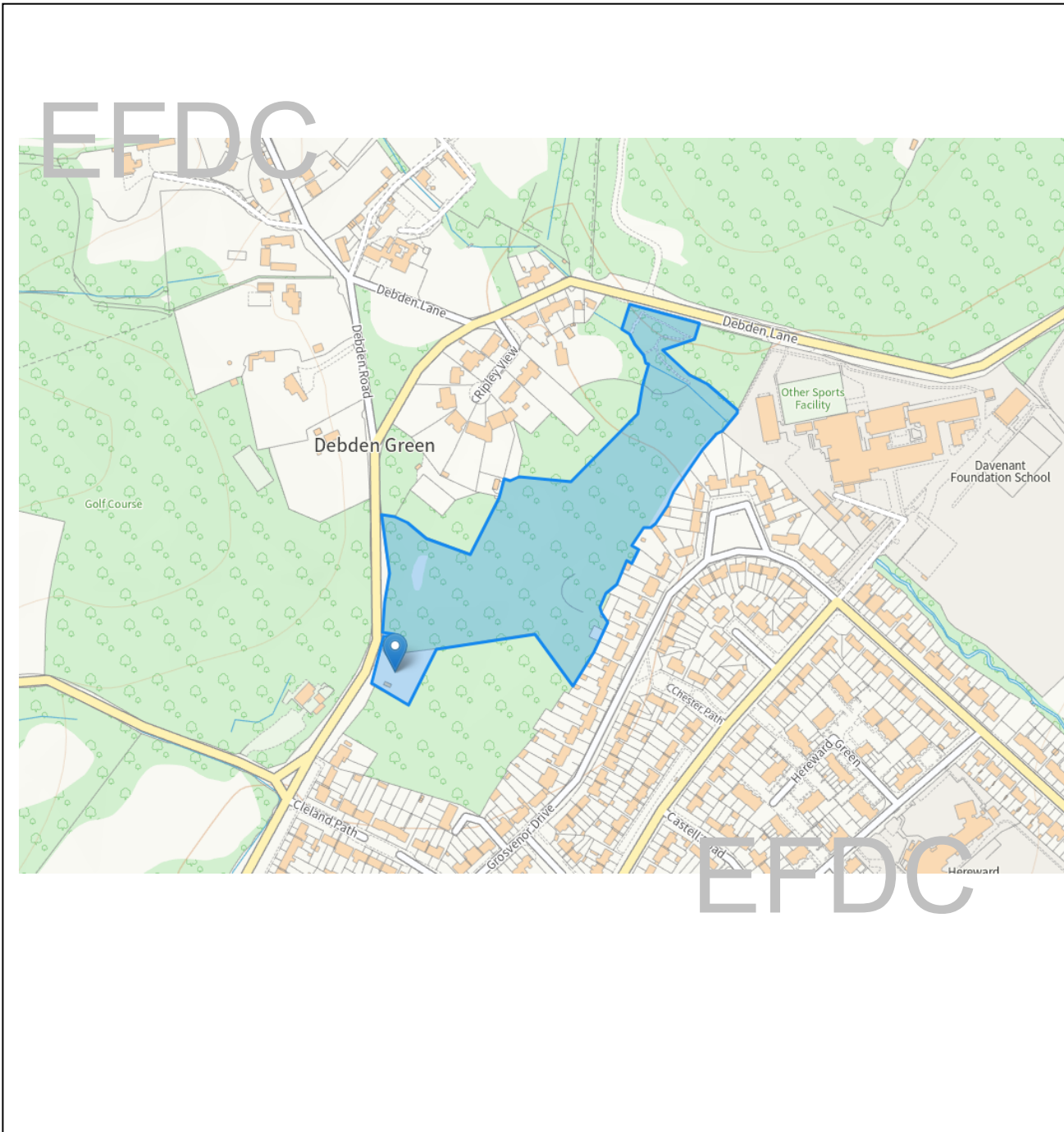




# Epping Forest District Council



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Application Number:	EPF/2216/22
Site Name:	New Oak Lodge Englands Lane Loughton Ig10 2NX

# OFFICER REPORT

<b>Application Ref:</b>	EPF/2216/22
<b>Application Type:</b>	Full planning permission
<b>Applicant:</b>	Mr Sukh Chamdal
<b>Case Officer:</b>	Ian Ansell
<b>Site Address:</b>	New Oak Lodge, Englands Lane, Loughton, IG10 2NX
<b>Proposal:</b>	Erection of a dwelling house and associated works to provide access, parking and landscaping. Refurbishment and repair of Grade II listed gates and piers
<b>Ward:</b>	Loughton Broadway; Loughton Fairmead; Loughton St. John's
<b>Parish:</b>	Loughton
<b>View Plans:</b>	<a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OutA">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OutA</a>
<b>Recommendation:</b>	Approve with Conditions

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

## **Description of Site:**

The application site occupies an area of around 3.97 hectares to the east of England's Lane. It includes the site of New Oak Lodge on the road frontage, a detached bungalow demolished earlier in the site works, and the gate entrance adjacent which is Grade II listed. The site extends northwards between Ripley View to the west and the Grosvenor Drive to the east, and is situated to the south of Debden Lane.

Other than the buildings above, the site has previously comprised unmanaged woodland with self-sown ground cover. The site contains a number of natural features identified in site surveys including what the applicants describe as an 'ancient tumulus / ice house / belvedere – a raised mound on higher ground close to eastern site boundary and a waterfall and stream / brook located towards the northern end of the site.

Natural ground levels across the site vary. The southern end of the site, around the entrance, is at the lower end and land rises to a central ridge running south east- north

west including the area around the tumulus. Land falls away again towards the north down towards the stream with the proposed dwelling located on this northern down slope.

The site's eastern boundary forms the Green Belt boundary in this area and all land and buildings to the north, west and south along with the whole site are within the Green Belt. The eastern site boundary predominantly abuts houses in Grosvenor Drive other than a small section in the north east corner abutting Davenant School. On the west side, much of the boundary is shared with Ripley View, a residential development of predominantly detached dwellings on larger plots. Immediately to the south of these properties, outside the application site, is an area of land in separate ownership – visually there is little difference between this land and the application site at present but the boundary line to a separate site remains evident in places. To the south, the site boundary abuts Home Mead Local Nature Reserve along its entire length.

Members may also wish to note the presence of an electricity sub station on England's Lane around 10 metres north of the site entrance with gates onto the road frontage although it is not served by a vehicle crossover and there is little evidence of recent use from the condition of the ground immediately in front of the entrance.

### **Description of Proposal:**

The application amounts to a variation from the previously approved dwelling on the site. The scheme proposes a single detached dwelling in a similar position on the north downslope, however in a significantly different built form. The new building is built over four floors (including the lower ground element at the northern end) partly built into the slope of the site. The building is elliptical in form with a substantially set back upper floor. An integral parking area is included and what is effectively first floor with level entrance from the higher ground.

Externally, the building is predominantly clad in timber and glass, the parking area formed as a largely open colonnade. A balcony is created at first floor on the south side at first floor. Height is managed by the building being flat roofed throughout, the upper floor roof will house solar panels, the first floor 'roof' will be finished with a green roof.

Vehicle access follows a similar line to that previously agreed, the listed gates will be refurbished as the main entrance and the access road into the site follows the line

of the previous approval. The frontage including the site of the original dwelling will be landscaped and fenced.

**Relevant History:**

EPF/2969/15 Demolition of existing dwelling house and out-buildings and erection of new dwelling house with associated landscaping works. Refurbishment and repair of Grade II listed gates and piers. Application approved by Area Planning Committee, subject to conditions.

A series of applications followed dealing with pre-commencement conditions and amendments to the building, including addition of a roof floor.

EPF/0439/20 Application for Lawful Development Certificate to confirm commencement of development EPF/2969/15 within prescribed period. The certificate was granted as lawful. As such, the permission remains live and capable of implementation.

**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
- T1 Sustainable transport choices
- DM1 Habitat Protection and Improving Biodiversity
- DM2 Epping Forest SAC and the Lee Valley SPA
- DM3 Landscape Character, Ancient Landscapes and Geodiversity
- DM4 Green Belt
- DM5 Green and Blue Infrastructure

DM7 Historic Environment  
DM9 High Quality Design  
DM10 Housing Design and Quality  
DM15 Managing and reducing Flood Risk  
DM16 Sustainable Drainage Systems  
DM17 Protecting and enhancing Watercourses and  
Flood Defences  
DM20 Low Carbon and Renewable Energy  
DM21 Local Environmental Impacts, Pollution and Land  
Contamination  
DM22 Air Quality

*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  
5 Delivering sufficient supply of homes – paragraphs 60, 66, 69, 74, 75, 79  
8 Promoting healthy and safe communities – paragraphs 92, 97  
9 Providing sustainable transport – paragraphs 104, 107, 108, 110, 111, 112  
11 Making effective use of land – paragraphs 119, 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

### **Consultation Carried Out and Summary of Representations Received**

Date of site visit: 06 March 2023  
Number of neighbours consulted: 41  
Site notice posted: No, not required  
Responses received: One response received from neighbour at 85 GROSVENOR DRIVE. The neighbour was concerned at the overall height of the building, whether this is adequately screened by existing trees, design of the building, impact on the adjacent nature reserve and the on site heritage assets, and construction disturbance.

LRA (Plans Group) have also commented on the design and form of the building, that it is not characteristic of the original historic building on the site, that the building is too big, the top floor will be visible, particularly in winter when the building is illuminated.

Parish Council: Loughton Town Council objected to the application, commenting as under:

*Members expressed disappointment that planning permission was granted for a dwelling on this site within the protected Green Belt. However, the previous consent was for a passable copy of an 1820's house, similar to what had been there before and maintaining the heritage value.*

*This proposal was for a larger dwelling, of poor design, bearing no resemblance to the historic past. The proposed design was too large, and the top floor would be visible, particularly in the winter and evenings when the large, glazed areas were illuminated.*

*This site has been regarded as, and grown as it were forest for many decades. Any development on this site should therefore not be visible from the highway at any time of year. The original dense tree cover should be maintained to screen the building and its light pollution from the highway and surrounding forested areas.*

*Further, 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.*

### **Main Issues and Considerations:**

Members will be aware of press coverage of an ongoing prosecution in relation to the removal of protected trees on the site, following an initial magistrates court hearing on Monday 2<sup>nd</sup> July. These proceedings are unrelated to the current application. Under the auspices of the 2015 planning permission, preliminary works on the site included the removal of trees in the area of the proposed building works and to the access road were carried out and largely completed by 2019. The works subject of the current prosecution took place some time later. Officers have been satisfied during the process of considering the application that the works subject of the legal proceedings do not relate to the current application, and Members should not assume that those works facilitate the proposed development.

The principle of a replacement dwelling on the site has been accepted, and the applicant has the ability to implement that permission. Thus, the application falls to be determined as a matter of detail on its own merits.

The application still requires consideration in relation to the Green Belt, in which the site lies. While national and local policy documents have been revised in general terms, the general thrust of Green Belt policy has not. Thus, as a basic principle new residential development should be treated as inappropriate in the Green Belt, unless very special circumstances dictate otherwise. These issues were at the forefront of the determination of the previous application, and the fact that the previous application remains capable of implementation is significant in this context. A replacement dwelling in a less visible location to the original frontage dwelling and the opportunity to refurbish and bring the original gates back into use are significant benefits. Given the limited impact the building has on the wider character of the Green Belt, the additional floorspace proposed in this application can be justified as not having a materially greater harmful impact on openness.

Comments in representations effectively comparing the current proposal to the previously approved scheme

should not distract Members from considering the development before them. The design is clearly different and unique, but this of itself does not make it unacceptable or inappropriate. The site is not within a Conservation Area or other similarly protected historic environment that would give cues to design and form. More significantly, the building is not wholly visible from any adjoining plot – there will be limited views through the woodland. Further, the topography is such that houses in Grosvenor Drive have rear gardens that rise towards the site, adding to natural screening of the overall plot, while houses in Ripley View have substantial rear gardens providing separation and screening from trees.

Comments on the height of the building should be considered in the context of the changes in levels of the site and much of the surrounding ground. The taller elements are located on the lowest part of the site, excavation to create the courtyard will not be read visually from anywhere other than within the courtyard itself and there are no plans to lower ground levels beyond the immediate area of the build. At the extreme south-western end, the building is at ground level. As a result, the development proposes three levels above existing ground levels, the upper floor of which is set back considerably from the floors below, consistent with the scale of the previously approved building.

Comments are made in respect of illumination from the large areas of glazing included in the building. Given the solar qualities of the glazing proposed, it can be expected that a level of light diffusion will be included in the detailed design, but in any event the glazing would not result in light spillage off the site due to the distance to the boundaries.

In the wider context, the application raises few issues. The access follows the previously agreed route. The works to the listed gates comprise refurbishment of the pillars and the reinstatement of the gates and these will form the entrance to the site, returning these to prominence in the setting of the site. Other historic features within the site are retained.

In light of the extant permission, the development can be viewed as a replacement for the purposes of considering impact on the EFSAC.

### **Conclusion:**

The proposal represents an alternative scheme for one dwelling on the site, development which has already been agreed.



While the architectural approach is clearly different to anything in the locality, and what was proposed on the site previously, this of itself does not mean that the development should not be considered on its own merits.

The proposal seeks to maximise the advantages presented by the changes in site levels, concentrating the taller element on the lowest part of the site and graduating through its levels to the significantly set back upper floor. While the building has a greater footprint than before, the overall levels are consistent. Notwithstanding, the building will be well screened from neighbours and from the wider area such that its distinctive form will have minimal impact on the wider area or local character.

As such, the application is 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](mailto:contactplanning@eppingforestdc.gov.uk)***

**Conditions: (28)**

- 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:

1355-001 re P4, 002 rev P2, 003 rev P2, 004 rev P2, 005 rev P2, 006 rev P2,, 007 rev P3, 201 rev P4, 203 rev P2, 205 rev P2 and 207 re P3.

22149 - 0201 rev P-01, 0202 rev P-01, 0203 rev P-02, , 0301 rev P-01, 0302 rev P-01, 0303 rev P-02, 0304 rev P-02, 0305 rev P-02, 0306 rev P-05, 0307 rev P-03, 0303 rev P-03, 0320 rev P-02, 0321 rev P-02, 0323 rev P-02, 0323 rev P-02, 0330 rev P-02, 0331 rev P-02, 0332 rev P-02, 0333 rev P-02, 0334 rev P-02, and 0340 rev P-00.

TCTC-18049-PL-01-01, 01-03, 07-02, 07-03, 08-01, 08-02 and 08-03.

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

- 3 Prior to commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To 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 take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

7. Tree protection measures.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Method Statement for protected and Priority species (Badgers) has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the following:
- a) purpose and objectives for the proposed works;
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works;
  - f) initial aftercare and long-term maintenance (where relevant);
  - g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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), s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998, policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 6 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.

- 7 No development shall take place on site unless and until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

No development or demolition shall take place other than in accordance with the Written

Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved.

Reason: The site is an Archaeological site where any remains are irreplaceable and are an interest of acknowledged importance which may be highly vulnerable to damage or destruction. Unless the Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

8 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.

- 9 Prior to preliminary ground works taking place, details of foul and surface water disposal, including any works to the watercourse within the site, 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.

- 10 Prior to commencement of development, a full schedule of works proposed to the entrance gates and piers shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the dwelling hereby permitted.

Reason: To ensure adequate restoration in accordance with policy DM7 and DM8 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 11 Prior to any preliminary ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

Reason: To ensure the impact of the intended development upon adjacent properties and the street scene is acceptable, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 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 the 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 adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

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

Reason: To comply with 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.

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

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

- 15 Prior to commencement of above ground works, a plan indicating the position, design, materials, and type of boundary treatment to be erected and not already indicated on the submitted plans, 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.

- 16 Prior to the commencement of above ground works, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To 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.

- 17 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Udall-Martin Associates Ltd, March 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination
- Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species), policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 18 All tree and shrub clearance works on the site shall only be undertaken outside the bird nesting season (1st March - 31st August unless otherwise agreed by the Local Planning Authority).

Reason: To protect existing habitat in accordance with policy DM1 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021, and to comply with the requirements of the Wildlife and Countryside Act 1981 (as amended)

- 19 The carriageway of the proposed access road shall be constructed prior to the commencement of the erection of the dwelling hereby approved unless otherwise agreed by the Local Planning Authority.

Reason:- The sensitive ecological character of the site is such that works on the construction of the access road should occur once only to ensure compliance with

policies DM1 and DM3 of the adopted Local Plan 2011-2033 (2023) and the NPPF 2021.

- 20 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.

- 21 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction - Recommendations), except with the approval of the local planning authority.

Reason:- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of trees are safeguarded in accordance with the guidance contained within the National Planning Policy Framework and policy DM3 of the adopted Local Plan 2011-2033 (2023).

- 22 Prior to any above groundworks, 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.

- 23 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.



- 24 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.

- 25 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, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 26 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed to each parking space 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.

- 27 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 Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: To 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 Policies DM1, DM3, DM4 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 28 Other than shrub or tree planting, the front boundary railings and gates hereby permitted shall not be infilled or enclosed by, or supplemented by any fence, screen or other means of enclosure without prior consent from the local planning authority through submission of a planning application.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policies DM7 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

**Informatives: (4)**

- 29 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.
- 30 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.
- 31 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.
- 32 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.