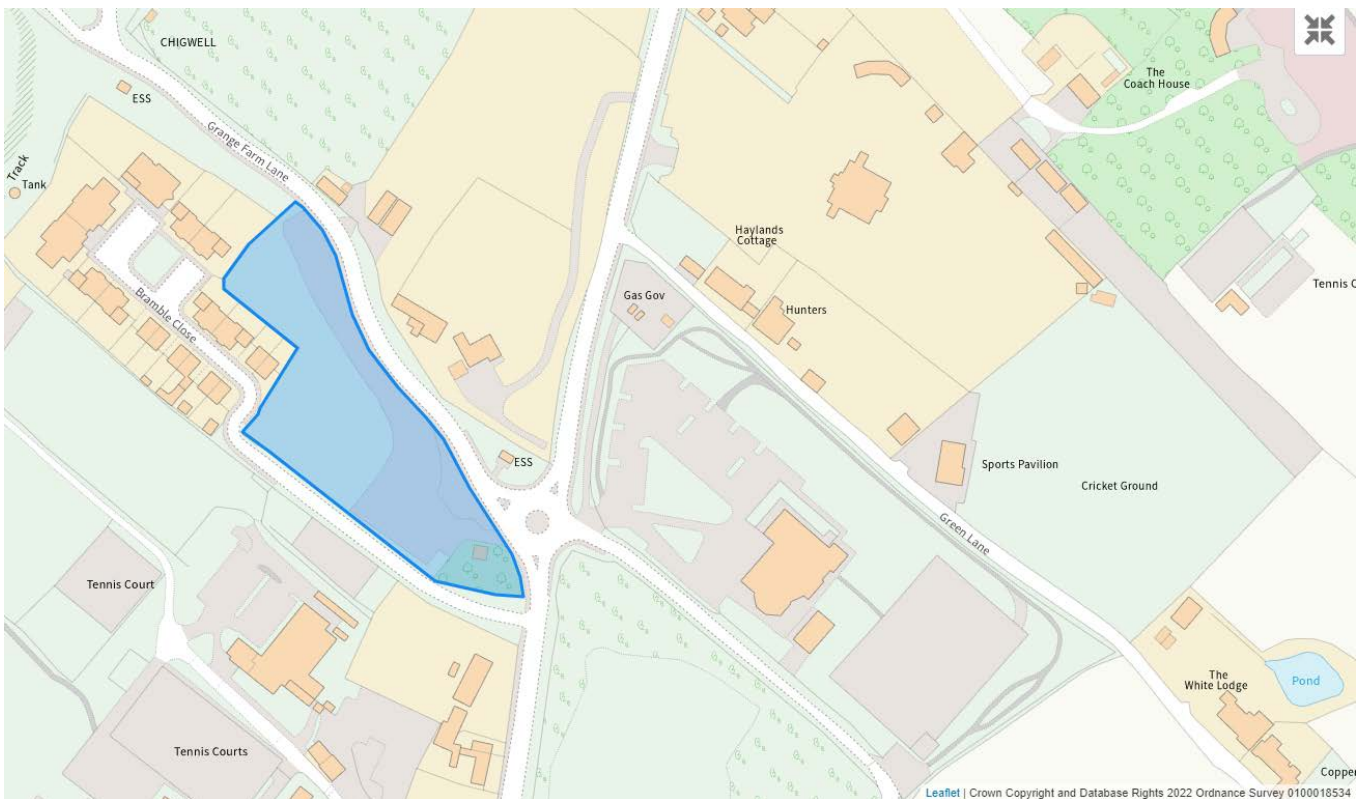


OFFICER REPORT

Application Ref: EPF/2109/22
Application Type: Full planning permission
Applicant: Mr Mark Smith
Case Officer: Ian Ansell
Site Address: Front Site, Former Grange Farm, High Road, Chigwell, IG7 6DR
Proposal: Redevelopment to provide residential dwellings with associated amenity space, landscaping, car and cycle parking.
Ward: Chigwell Village
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OpIV>
Recommendation: Approved with Conditions (Subject to s106 Legal Agreement)



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Consideration of this application was deferred at the last meeting of this Committee to allow for a site visit which was arranged for Saturday 7th October.

This application is before this Committee since it is an application for residential development consisting of 10 dwellings or more (other than an application for approval of reserved matters) and is recommended for approval (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The site comprises an area of around 0.8 hectares, and lies to the north-east of the centre of Chigwell, immediately adjacent to the roundabout at the junction of Grange Farm Lane with High Road. The Site is bounded to the south by Bramble Close and to the north by Grange Farm Lane. The site has been surrounded by hoardings for a number of years and comprises mostly hardstanding and accumulated building materials and detritus. It has been used storage purposes and as a building compound for other development projects in the area, including the scheme now known as Chigwell Grange.

To the north of the Site is the Grange Farm Trust Sports Pavilion and associated facilities. Land to the north of that comprises fields known as Chigwell Meadows which are also managed by the Trust. To the south of Bramble Close properties fronting High Road mark the northern end of the settlement and the Chigwell Village Conservation Area, this part of the High Road comprises a number of listed buildings. Land to the east forms part of the site where enabling development has been approved to support refurbishment of Chigwell primary Academy, access to which is from the roundabout abutting the site.

The site and much of the surrounding land is located within the Green Belt. A gas main runs under the northern corner of the site with a no-build zone located either side of it, enforced by the Health and Safety Executive (the HSE). The site was included in the Council's Brownfield Land Register in December 2020, with an estimated capacity of 6-11 residential units.

Description of Proposal:

The application proposes redevelopment to provide 14 dwellings comprising 10 x 2-bed flats and 4 x 5-bed houses, sited on the wider, south-eastern, roundabout end of the site, and positioned to avoid the no-build route of the gas main.

The houses will be two-storeys, although each of these will include an 'attic room' within the roof storey. There will be a variety to the roof-scape with hip and gable ends to each of the houses. The facades will be made of brick and timber, with clay roofing tiles.

The apartments will be in three two-storey buildings around a three-sided open courtyard'. These will be clad in a mix of black and white timber.

The scheme provides a total of 24 car parking spaces, all of which will have Electric Vehicle charging points. This will include 4 visitor spaces and 1 blue badge space. One secure cycle parking space will be provided per flatted unit. For the houses, an integral garage will be provided within the curtilage of the property. Furthermore, two stands providing 4 cycle parking spaces will be provided for visitors within the communal area.

An enclosed refuse store has been provided, adequately sized to accommodate both land-fill and recyclable refuse, and located on the Site to allow access of the refuse lorry for safe and easy collection.

Having regard to the location of the gas main, the design ensures that only landscaping is provided within the no build zone comprising a communal amenity meadow area.

Relevant History:

Planning permission was granted for construction of three dwellings on the land under separate applications in 2006, following an earlier consent for 2 dwellings granted in 2002. Lawful development certificates were granted in 2012 confirming that the three dwellings had been lawfully commenced. As a result, this permission remains 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
- 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
- DM10 Housing Design and Quality
- DM15 Managing and reducing Flood Risk
- DM16 Sustainable Drainage Systems
- DM17 Protecting and enhancing Watercourses and Flood Defences
- DM19 Sustainable water use
- 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
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: November 2022

Number of neighbours consulted: 28

Site notice posted: 20 October 2022

Responses received: No response received from neighbours.

Parish Council: No comments were initially received, late representations object to the application on the following grounds:

- Impact on the adjacent Conservation Area
- Lack of provision of on-site affordable housing
- Impact on Green Belt
- Under provision of parking

If members are minded to approve, conditions are suggested to retain garages for parking and to improve sustainability rating.

Main Issues and Considerations:

Green Belt

The site is located in the Green Belt, where national and local policy include a general presumption against new built development unless that development either meets any of the exceptions tests set out in paragraph 149 of the NPPF. Or where very special circumstances exist. Paragraph 149 g) explains that exclusions to inappropriate development in the Green Belt can include *“limited infilling or the partial or complete redevelopment of previously developed land, where redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development;*
- or
- *not cause substantial harm to the openness of the Green belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.*

In 2020, the site was added to the Council's Brownfield Land Register. The Town and Country Planning (Brownfield Land Register) Regulations 2017 place a duty on local authorities to maintain and publish a Brownfield Land Register . Such a register contains sites considered by the local planning authority to be appropriate for residential development. The allocation in this case recognises that development of between 6-11 dwellings *‘is not likely to result in greater or substantial harm to the openness of the Green Belt subject to quantum, scale and careful design and layout’.* This description is no more specific in terms of the size or form of the units likely to come forward.

The site was previously developed, recognised in the lawful development certificates issued for the three dwellings, while for 15 years or so it has been hoarded around and used as a site and storage

compound. As a result, it currently detracts from the openness of and indeed harms the Green Belt in its present state. As stated above, the site is surrounded by development and has no connectivity with the broader Green Belt as a result of other adjacent developments.

There are no important views of the Green Belt across the Site which sits on a prominent corner location between a major highways' roundabout and the development of Bramble Close to the rear. Whilst the proposal does represent an increase in the floorspace and scale over what was historically approved on the site and three additional units when compared with the Brownfield Land Register, the high-quality architecture, reflecting the local vernacular, and soft landscaping scheme will enhance the site's visual amenity and limit the impact on the openness of the surrounding area.

Taking all material considerations into account, officers conclude that the development in its context does not have a materially greater impact on the openness of the Green Belt in this location. Notwithstanding, the circumstances arising from the extent of previous development and the history of use as well as the allocation in the Brownfield Register is sufficiently unique as to amount to very special circumstances.

Design and appearance

The site is located in a semi-urban/rural location and sits between the main village to the south, Grange Farm, Bramble Close and London Square to the east and the ribbon frontage dwellings on High Road to the north. To the west of the roundabout, planning permission has been granted for further development in association with Chigwell Primary academy.

The site is constrained further by the no-build zone for the gas pipeline crossing the site, and in some ways this has a positive impact on the form and scale of development. It provides an opportunity for a high quality landscape setting for the development, befitting the fringe urban location.

The design of the houses and flats will be consistent with the Essex vernacular prevalent in the immediate surrounding area. The flatted elements are located on the wider south-eastern end of the site closer to the roundabout, but within the landscape and set back to allow creation of a SuDs pond. The flatted blocks are set around a parking courtyard which has been designed to be as pedestrian friendly as possible. Parking has been kept away from the site boundary to reduce the dominance of cars on the layout. The buildings are set back from the access road and each of these houses has its hard standing parking space. Each of the buildings on the Site will be located appropriate distances from each other to ensure that there is suitable privacy and natural light.

The impact on neighbouring heritage has also been considered given the close proximity of the Chigwell Village Conservation Area boundary and some listed buildings nearby. Bramble Close provides a buffer between the scheme and historic pattern of the settlement, such that the heritage assets are not adversely affected.

Neighbour amenity

It is noted that no neighbour representations were received on the application. This is not surprising given the present condition of the site, which is seen to detract from local amenity generally, and the siting and form of the buildings. Primary concerns were raised at pre-application stage about the relationship of the development with dwellings in Bramble Close and the application has responded to these by reducing the number of units and moving the houses away from the shared boundary. The siting of the buildings minimises potential overshadowing.

The site is otherwise separated from surrounding properties by the roads between; the separation considered with the scale and built form and the screening provided by new landscaping are such that no other direct impact on neighbours results.

Highways

No highways or traffic concerns have been identified in relation to the road network. All site access and egress is from Grange Farm Lane without need for alteration to the road or the roundabout at High Road. Overall parking levels are appropriate for a site in this location on the edge of the settlement.

EFSAC considerations

The site lies within the core 3km EFSAC area and the development has been assessed in terms of both recreation and air quality impact. Notwithstanding the extant consent, it is recognised that this would not have been taken into account in previous modelling and the scheme has to be assessed in relation to the provision of 14 dwellings. The applicants have accepted their obligations in this regard and have agreed to meet the mitigation contributions in full. As a result an appropriate assessment has been undertaken as under:

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 2011-2033 (2023).

The Council published an updated Habitats Regulations Assessment in 2021 (the HRA 2021) to support the examination of the LPSV. The screening stage of the HRA 2021 concluded that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). The Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to this application pertinent to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

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

Stage 1: Screening Assessment

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

1. The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

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

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

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. . Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Conclusions:

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Affordable housing and wider mitigation

The site would attract an affordable housing requirement proposing development above 10 units. The applicants have submitted a viability assessment seeking to establish that the site, as a result of the high development costs cannot meet it's policy obligations in this regard. The submissions have been reviewed by independent consultants instructed by the Council. Following extensive discussions and provision of revised and updated assessments, and taking account of other potential contributions arising from the development, it is not viable to provide on-site affordable housing as part of the scheme. The NPPF recognises that development must be viable and that where affordable housing cannot be viably provided, this should not be a barrier to bringing forward land for new development where no other material objections exist.

The comments from the Council's consultants are caveated. An off-site contribution should be considered, within an overall package of wider mitigation contributions that are viable within the development. An overall level of all contributions of £500,000 has been deemed to be viable, including any off-site contributions. Further, the viability assessment is based land values and development costs

determined in the early part of 2023 and such circumstances may change which would justify a further viability review if development is delayed. This has been agreed with the applicant, in the event development is not commenced within two years of the application being granted, then a review of viability will be undertaken, such provision will be secured by legal agreement.

The development does, as referenced above propose a level of contribution towards wider mitigation arising from the Infrastructure Delivery Plan. Having reviewed all aspects of the local requirements, officers have agreed the following:

- EFSAC mitigation in relation to recreational impact (£25,936.82) and air quality (£4,690) - £30,626.82
- Health Care contribution – £4,309 - requested by East of England Ambulance Service
- Open space and green infrastructure – including open space and playing field provision, contribution for parks and gardens improvements, provision for children and young people and allotments - £182,221 (or £13,015 per dwelling).
- Community facilities – improvements to community facilities to meet additional needs - £37,814 (£2,701 per dwelling)
- Off-site affordable housing – £220,000
- Monitoring fee - £25,000
- Affordable housing viability review – if development has not commenced within two years of the date of the permission, a financial viability review will be undertaken to determine whether additional contributions should be provided for affordable housing provision.

Taking account of material viability considerations, officers recommend that the measures represent a balanced mitigation package.

Other matters

Development provides significant scope for landscape and biodiversity improvements, particularly in the context of the no-build zone resulting in the provision of a communal amenity space.

A biodiversity strategy includes providing new habitat opportunities through appropriately designed biodiverse planting and hard landscaping features. Ecological enhancements will be integrated into the development including bird boxes, bat boxes, bug hotels and log piles. Where possible, the log piles will be created with timber from the felled trees. Hedgehog friendly fencing will also be provided.

The application proposals recognise the important contribution trees make to the character and quality of urban environments, and the role they play to help mitigate and adapt to climate change. The proposals seek to retain existing trees and integrate new trees in accordance with the requirement of local and national planning policy.

The application includes a detailed Flood Risk Assessment which identifies opportunities to introduce sustainable drainage improvements, including provision of an attenuation pond. Matters of detailed design can be dealt with by condition.

Similarly, recent uses of the site are likely to have resulted in contamination and a remediation strategy is required to protect future vulnerable uses from potential harm. This can also be secured by condition.

Conclusion:

The site is evidently in need of a final development solution in visual and land use terms. The site meets all relevant guidance in terms of the definition of previously developed land and the land is in poor condition as a result of its extended use for construction compound elsewhere.

The proposal represents a relatively modest scale of development, buildings are consistent with the local scale and vernacular and the site constraint result in a relatively low density. Neighbour amenity is not significantly impacted.

While the site is in the Green Belt, it's status is significantly affected by the inclusion in the brown field register. On balance, harm to the openness is limited and is outweighed by the benefits of bringing the site forward.

Accordingly, officers recommend that subject to the completion of a suitable legal agreement to bring forward mitigation measures set out above and to the conditions listed, permission can be granted.

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: (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:
C100 0001 P03, 0002 P03, 0010 P03, 0011 P03, 0012 P03, 0013 P04, 0030 P01, 0050 P01, 0051 P01, 0052 P01, 0070 P01, 0071 P01 and 0072 P01
LO37-P-001 Rev A, 002 Rev A, 003 Rev A, 004 Rev A, 005 Rev A, 006 Rev A, 007 Rev A, 008 Rev A, 009 Rev A, 010 Rev A and 011 Rev A
2023-KC-XX-YTREE-TCP01 Rev B and TPP01 Rev B

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

- 3 No development shall take place, including any works of demolition, until a construction 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), s40 of the NERC Act 2006 (Priority habitats & species), and policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023)

- 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.

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 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 surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

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

- 7 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development [or specified phase of 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), s40 of the NERC Act 2006 (Priority habitats & species) and policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023).

- 8 Tree protection shall be installed as shown on Keen Consultants Tree Protection Plan, Drawing No: 2023-KC-XX-YTREE-TPP01 Rev B dated August 2022, prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 9 Prior to any above ground works, 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. 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, s40 of the NERC Act 2006 (Priority habitats & species) and policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023).

- 10 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.

- 11 A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works. 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, Isolux drawings 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, s40 of the NERC Act 2006 (Priority habitats & species) and policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023).

- 12 Soft landscaping shall be implemented as shown on Urban Landscape Partnerships Soft Landscaping General Arrangement Plan, Ref: L037-P-003 dated September 2022, and all the accompanying planting plans (Ref: L037-P-007 - P011) and schedules (Ref: L037-PL-RP02 dated Sept 2022). The works shall be carried out prior to the occupation of the building or completion of the development. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 13 All hard landscaping and gates, walls, fences and other means of enclosure shall be installed in strict accordance with the details shown on drawing L037-P-004 Rev A, unless otherwise agreed by the Local Planning Authority through an appropriate application. No walls, gates, fences or means of enclosure not shown on the approved plan shall be installed without prior consent from the Local Planning Authority through an appropriate application.

Reason: In the interests of general visual amenity, and to accord with policies DM9 and DM10 of the Epping Forest District Local Plan 2011-2033 (2023).

- 14 The development shall be carried out in accordance with details of site levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas shown on drawing number

L037-P-005 Rev A, unless otherwise agreed by the Local Planning Authority through an appropriate application.

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 2021.

- 15 All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greengage, August 2022), Bat Survey (Greengage, November 2022) and Reptile Survey (Greengage, December 2022) 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, s40 of the NERC Act 2006 (Priority habitats & species) and policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) .

- 16 No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared, provided a written report of confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site, and that written confirmation has been approved by the Local Planning Authority

Reason: To ensure adequate protection is afforded to local wildlife in accordance with policy DM1 of the Local Plan 2011-2033 (2023), and the NPPF 2021

- 17 No deliveries of plant or materials, 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.

- 18 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.

- 19 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.

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

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

- 22 Prior to their installation, details of boilers shall be submitted to and approved in writing to the Local Planning Authority. The boilers shall have dry NO_x emissions not exceeding 40 mg/kWh (0%). The development shall be carried out in accordance with the approved details.

Reason: To help improve local environmental conditions and limit emissions to air as required by the national planning policy framework. Boilers can be a significant source of NO₂ emissions and worsen local air quality. To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest Local Plan 2011-2033 (2023).

- 23 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.

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

- 25 Prior to the first occupation of the development the proposed vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. This shall include the visibility splays as shown, which shall be retained for the life of the development.

Reason: To ensure that safe access is provided whilst prioritising pedestrian movement, in the interest of highway safety and to accord with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Epping Forest Local Plan 2011-2033 (2023), and the NPPF 2021

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

Reason: To ensure that appropriate access, vehicle parking and turning is provided. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

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

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport, and to accord with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policy T1 of the Epping Forest Local Plan 2011-2033 (2023), and the NPPF 2021

- 28 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 and B of Part 1, or by Class AA of Part 20, to schedule [20 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 DM4 and DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (3)

- 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 This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.
- 31 Informative requested by Highway Authority:
- i. There shall be no discharge of surface water onto the Highway.
 - ii. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.
 - iii. 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.
 - iv. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.