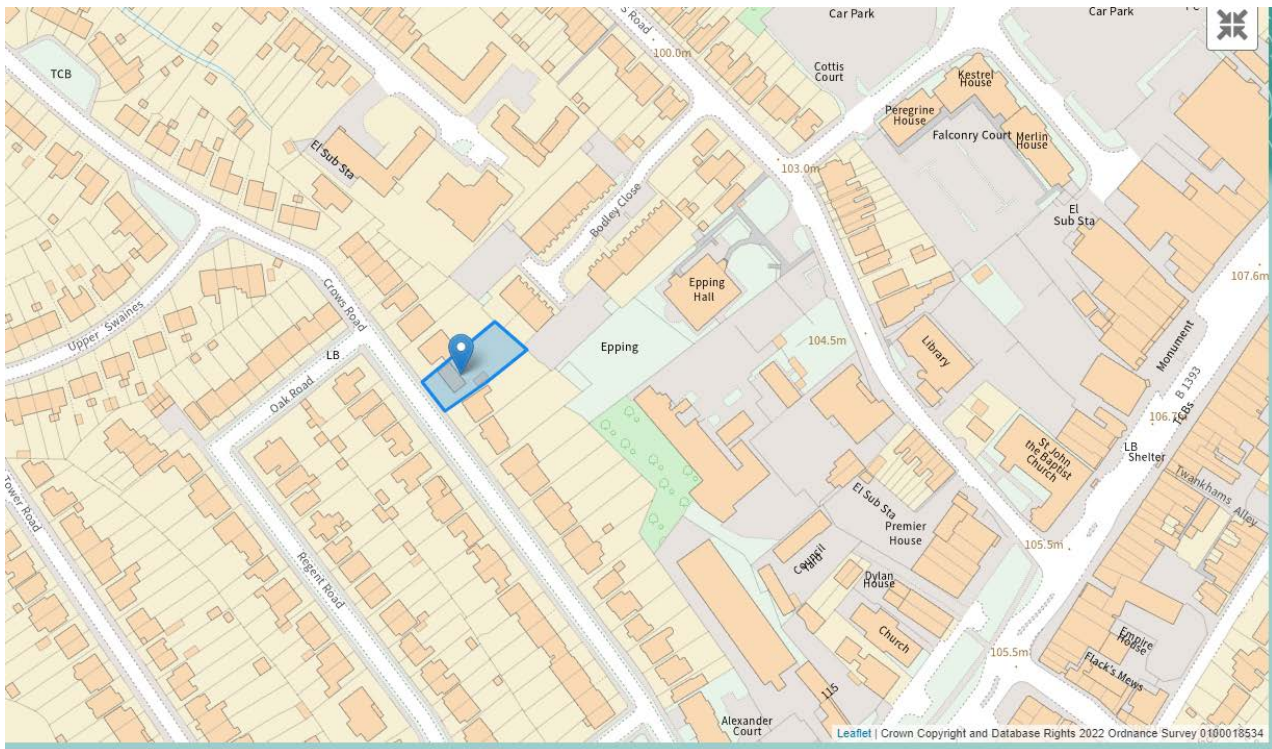


OFFICER REPORT

Application Ref: EPF/0022/23
Application Type: Full planning permission
Applicant: Mr Geoffrey Shaw
Case Officer: Kelly Sweeney
Site Address: 34, Crows Road, Epping, CM16 5DE
Proposal: The demolition of an existing 4 bedroom detached house and erection of two semi-detached 4 bedroom houses.
Ward: Epping Lindsey and Thornwood Common
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001V3VS>
Recommendation: Approve with Conditions



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The application has been called-in by Councillor Whitbread the grounds of the scale and nature of the development.

Summary

The proposed family houses would be compatible with the prevailing character and pattern of residential development in the area. They would be of a traditional design and would be appropriate in terms of their width, height, bulk and massing leaving suitable visual gaps between neighbouring dwellings as well as an appropriate level of private amenity space at the rear. There would be no

harm to residential amenity and each house would have off-street parking. Approval of the application is therefore recommended.

Site and Surroundings

The site is located in a residential area on the eastern side of Crows Road and comprises a large, detached house set within a large plot which backs onto other residential dwellings and their associated parking. There is a double height detached garage located towards the rear garden of the site situated on the boundary with No. 32. The site is not listed or located within a conservation area. There are no protected trees and the site is not located within the Metropolitan Green Belt.

The neighbouring property to the south-east (No. 32) is a large, detached house which is set on a slightly higher topography than the application site. The other neighbouring property to the north-east (No. 36) is a detached chalet bungalow located on a slightly lower topography than the application site. The change in street levels means that there is a gradual increase in ridge heights across the three dwellings. Both of the neighbouring dwellings sit beyond the rear elevation of the existing dwelling and have been extended.

Overall, the area comprises of a mix of two storey semi-detached and detached dwellings of predominantly 1930s in character with hipped roofs or gables interspersed with smaller bungalows.

Proposal

Planning consent is sought for the demolition of the existing dwelling and the erection of a pair of family sized semi-detached dwellings. Internally each house would comprise 4 bedrooms and would have a large rear garden. Each dwelling would have a driveway to the frontage to accommodate at least one vehicle.

Externally the semi-detached houses would have a traditional appearance incorporating hipped gables and front bay windows.

Relevant Planning History

There are no relevant planning history records relating to this site.

Development Plan Context

Epping Forest Local Plan adopted 2023.

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

SP1	Spatial Development Strategy 2011-2033
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport Choices
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM7	Historic Environment
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM15	Managing and Reducing Flood Risk
DM16	Sustainable Drainage Systems

DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality

National Planning Policy Framework 2023 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs	131, 135 and 137
Paragraph	180
Paragraph	189

Summary of Representations

Site notice posted: Yes.

Number of neighbours Consulted:22-4 objections were received commenting as follows: -

- The development will de-value nearby properties.
- The existing property was formally associated with the Baptist Church.
- The development will have a negative impact upon nearby footings and foundations.
- The development will have a cumulative impact upon the area when taking into consideration other nearby developments.
- There concerns about the presence of roosting birds and bats. The ecology assessment is insufficient.
- The development will result in increased surface water run-off.
- The development will result in loss of light, outlook and privacy.
- The development will not be in keeping with the character and appearance of the area.
- It will be a cramped form of development due to its position in relation to neighbouring dwellings.
- The development would constitute an overdevelopment of the plot.
- There will be more parking on street.
- Noise and disturbance will be generated during the construction of the development.
- The current house should be refurbished.

Officer Comment: Concerns relating to the value of existing dwellings, the history of the ownership of the property and the nature of the current owner are not material planning considerations. Furthermore, matters relating to the structural safety and impact upon nearby foundations are not a material planning consideration and must be dealt with under building regulations. All other matters are dealt with in the main body of the report.

EPPING SOCILETY- Object on the grounds that there is evidence of roosting bats within the site and that the proposed parking layout appears cramped.

EPPING TOWN COUNCIL – No objection.

Internal and External Consultees: -

Essex County Council Highways-No objection.

Essex County Council Ecology Consultant-No objection subject to safeguarding conditions and a financial contribution towards mitigation in relation to the Epping Forest Special Area of Conservation (SAC).

Contaminated Land Officer-No objection subject to a safeguarding condition.

Environmental Protection and Drainage-No objection subject to safeguarding conditions.

Trees and Landscape Officer-No objection subject to safeguarding conditions.

Planning Considerations

The planning considerations in this case are as follows: -

- Principle
- Impact on the Character and Appearance of the Site and the Wider Area.
- Residential Amenity
- Highways Impact.
- Trees and Landscaping
- Epping Forest Special Area of Conservation (EFSAC)
- Sustainability and Ecology

Principle

Both the Council's Local Plan (2023) and the National Planning Policy Framework (2023) support the use of previously developed land to provide new family housing. The development would create two family houses within a residential area. As such the proposal is acceptable in principle. Concerns have been raised by residents with respect to the loss of the existing house. Given that the site is not listed or located within a conservation area and is to be replaced by new housing the Local Planning Authority have no grounds to resist the loss of the existing dwelling in this instance.

Character & Appearance

Policy DM9 of the adopted Local Plan states that all new development must be of an appropriate design, scale and massing in keeping with the character and appearance of the site and the wider locality.

Objections have been received raising concerns that the development would not be in keeping with the character and appearance of the site. The surrounding area is residential in character and whilst the neighbouring properties are detached, they differ quite significantly in terms of their built form and appearance. For example, No. 36 is a chalet bungalow and No. 32 is a larger two storey property. The wider street scene comprises a mix of detached and semi-detached dwellings as such it is considered that the construction of a pair of semi-detached houses in this location would be in keeping with the character and appearance of the street.

The proposed houses have been designed to reflect the predominantly 1930s character of the area and include a hipped roof with hipped roofed front gables incorporating bay window and mock Tudor detailing. At present the existing building is in a poor state of repair and it is considered that the development would be a welcome and visually pleasing addition to the street scene and would constitute an improvement to the visual appearance of the site.

The height of the proposal would match that of the existing house it would replace replicating the staggered ridge line. Although the proposed pair of semi-detached houses would be wider than the existing house it is considered that they would not appear cramped within the street scene. It is proposed that the houses would be positioned over 200mm further away from the boundary with No. 36 than the existing house. Although the proposal would be situated closer to No. 32 than at present it is evident from the proposed street scene plan that there would be a sufficient visual gap

retained given that No. 32 sits on a higher topography than the application site.

To the rear the built form of the proposed houses would remain behind the rear of No. 36 and marginally beyond the rear of No.32 where the proposed built form would be 2 storeys. A large rear garden would be provided for each dwelling and parking would be provided to the site frontage with some soft landscaping. The arrangements for the site frontages reflect those within the immediate area. It is considered that the overall depth of the proposed houses and their layout would reflect the pattern of residential development in the area.

Overall, it is considered that the development in terms of its scale, height, massing and detailed design would be acceptable and in compliance with policy DM9 of the adopted Local Plan (2023).

Residential Amenity

Policy DM9 of the Council's adopted Local Plan states that all new development must not harm to the amenity of nearby residents by way of loss of light, outlook or privacy.

There have been a number of resident objections raising concerns that the development would result in loss of light to nearby residential dwellings. However, the proposed houses would not sit forward of the front elevation of either of the neighbouring properties and as discussed in the section above the proposed houses would remain behind No. 36 and only slightly beyond No. 32 where the house would be 2 storeys in height. Each of the dwellings would have a single storey addition at the rear however they would extend only 2m beyond the rear elevation of No. 36 and 0.7m beyond the rear conservatory at No.32.

It is noted that the proposal would be replace an existing dwelling of the same height and would be positioned further away from the boundary with No. 32. As such there would not be a material increase in loss of light or outlook to any of the side facing windows located along the flank of this property. Whilst the proposed house would be closer to No. 36 there are two small side facing windows at this property that would be affected, however they do not serve habitable rooms.

As such it is evident that the proposed development would not result in harm to the amenity of either of the neighbouring properties by way of loss of light, outlook or overbearing impact. Like the existing house to be demolished the habitable room windows serving the proposed houses would be located front and back as such the development would not result in increased loss of privacy or overlooking.

The development would be located a substantial distance from properties to the rear of the site and would not result in any additional overlooking over and above that which would already be created by the existing house.

Concerns have been raised that the development would result in significant noise and disturbance as a result of the construction of the development. However, a condition is recommended limiting the hours of construction to daytime hours Monday to Saturday. This is a standard condition and is proportionate to the scale of the development proposed.

In terms of the amenity provided for future occupants of the development it is considered that the habitable rooms are of a suitable size and would be afforded an adequate level of light, outlook and privacy. Each of the proposed houses would have their own private rear garden which would be of an acceptable size.

Overall, the development would not result in harm to the amenity of nearby residents and occupants and is in accordance with Policy DM9 in this regard. Furthermore, it is considered that the proposed houses would provide an adequate level of internal and external amenity for future occupants.

Highways Impact

Epping County Council Highways have commented on the application and raise no objection to the creation of a new crossover in this location.

Each house would have two off-street parking spaces which would be acceptable particularly given the sustainable location of the site close to Epping High Street and within walking distance of Epping Underground Station. Concerns were raised by residents that the parking layout appeared to be inadequate, however the applicant has submitted amended plans improving the site layout to the frontage and the LPA are satisfied that two spaces can be provided for each house.

Overall, the development would not lead to circumstances that would be prejudicial to pedestrian and highway safety and as per the report above the size of the driveways proposed reflects the pattern of the development in the immediate area where driveways of varying size have been added over time.

Trees and Landscaping

There are no trees or other landscape features on the site that are protected. The Council's Tree and Landscape Officer has commented on the application raising no objection subject to conditions which require that the development is completed in accordance with the submitted Tree Protection Plan and the submitted Hard and Soft Landscaping Plan.

Epping Forest Special Area of Conservation (EFSAC)

A large part of the Epping Forest contains a Special Area of Conservation (EFSAC) which has been identified primarily for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. As an internationally important site it is afforded the highest level of protection due to its habitats and species that are vulnerable or rare within an international context.

The Council, as a competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and Policies DM2 & DM22 of the Epping Forest District Local Plan (2023) has a duty to ensure that plans and projects for whose consent it is responsible will not have an adverse effect on the integrity of these designated sites either alone or in combination with other plans and projects within the adopted Local Plan.

The Council has identified two main issues (known as 'Pathways of Impact') that are currently adversely affecting the health of the Epping Forest.

The first is recreational pressure. Surveys have demonstrated that most visitors live within 6.2km (Zone of Influence) of the Epping Forest. As new residential development within 6.2km is likely to result in more people visiting the Epping Forest on a regular basis this will add to that recreational pressure.

The second issue is atmospheric pollution which is caused primarily by vehicles travelling on roads in close proximity to the Forest emitting pollutants (Nitrogen Dioxide and Ammonia). Development proposals (regardless of their type, size, and location within the District) which would result in even an increase in just one additional vehicle has the potential to contribute to increases in atmospheric pollution within the Epping Forest.

Stage 1: Screening Assessment

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

- 1) The site lies within the 3-6.2 km Zone of Influence as identified in the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. 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 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 recreational pressures and atmospheric pollution.

Stage 2: 'Appropriate Assessment'

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the SAMM strategy and the Epping Forest District Green Infrastructure Strategy has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals.

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 the Air Pollution Mitigation Strategy (APMS), 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 APMS.

The applicant has provided a HRA Trip Assessment which states that the development would result in an increase in trip generation that would have an impact upon the SAC and that a financial contribution in accordance with the APMS can be secured.

Consequently, the Council is satisfied that the 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. The applicant has agreed in writing to complete a S106 agreement in this regard.

Sustainability and Ecology

The site is close to other residential dwellings and is within close proximity to the centre of Epping and Epping Underground Station. As such, the site would not be an isolated and it is considered that the proposed houses would be in a highly sustainable location.

Concerns have been raised that there is a presence of bats within the existing house to be demolished. A Bat Emergence Re-Entry Survey Report by Greenwood Environmental Limited has been provided with the application. It concluded that there is a day roost of soprano pipistrelle bats with the garage located in the rear garden of the application site. In light of these findings a mitigation strategy is included in the report which seeks to minimise the impact upon any roosting bats.

Essex County Council Ecology have assessed the findings of the report. They have advised that they are satisfied with the key findings of the report and the proposed mitigation measures but have recommended a number of pre-commencement conditions which the applicant must adhere to prior

to any demolition work taking place including the requirement to provide evidence to the LPA that they have successfully sought a licence from Natural England or evidence that Natural England deem it unnecessary to provide such a licence. Additional biodiversity enhancement measures are also sought.

A condition is recommended with respect to the additional biodiversity enhancements. It should be noted that the request for the applicant to obtain a licence from Natural England has been included on the decision as an informative given that any harm to protected species is a criminal act under UK and European Law and must be adhered to irrespective of any planning consents.

Other matters

The Contamination Land Officer raised no objection in principle to the development subject to safeguarding conditions.

Conclusion

The development would replace an existing property currently in a poor state of repair and would provide two family sized houses in a highly sustainable residential area. The proposed houses would be well designed incorporating features found in the immediate street scene. The development would not result in harm to the amenity of nearby residents and would provide a good standard of internal and external amenity for future residents. The development would also provide adequate off-street parking and would not result in circumstances which would be prejudicial to pedestrian and highway safety. The applicant has agreed to provide ecological enhancements to the site and to make a financial contribution towards mitigation against the impact the development would have upon the Epping Forest Special Area of Conservation. The development is therefore in compliance with the policies contained within the adopted Local Plan (2023). Approval of the application is therefore recommended.

If you wish to discuss the contents of this report item, please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (13)

- 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 in accordance with the following approved plans: P-3C, P-5D, P-2C, P-4D and P-6A.

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

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building [or those specified on the approved plans, or those specified in the submitted application form].

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

- 4 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 Class [] of Part [] to schedule [] shall be undertaken, without the prior written agreement of the Local Planning Authority.

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

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the side elevations, without the prior written agreement of the Local Planning Authority.

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

- 6 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 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.

- 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.

- 10 A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. 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).

- 11 “Prior to occupation, a “lighting design strategy for biodiversity” shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on

site that are particularly sensitive for and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through 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 the above species using their territory or having access to their breeding sites and resting places. 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).

- 12 Hard and soft landscaping shall be implemented as shown on ARA Homes Ltd ‘Existing and Proposed site plan and landscaping’ drawing number ‘P1C’ (dated 26th September 2022); and the accompanying planting schedule. 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.

- 13 Tree protection shall be installed as shown on EverTree Arboriculture ‘Tree Protection Layout Plan’ drawing number ‘MDS-2022-1916-003 Rev A’ within AIA report dated 20th December 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.

- 14 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence Re-entry Survey Report (Greenwood, August 2023) as already submitted with the planning application and agreed in principle with the local planning

authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Informatives: (3)

- 15 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

- 16 The developer should be aware that bats have been identified within the existing building(s). Bats are protected under UK and European Law as such it is a criminal offence to deliberately move, kill or injure a bat. Any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless a licence has been issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”

- 17 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.