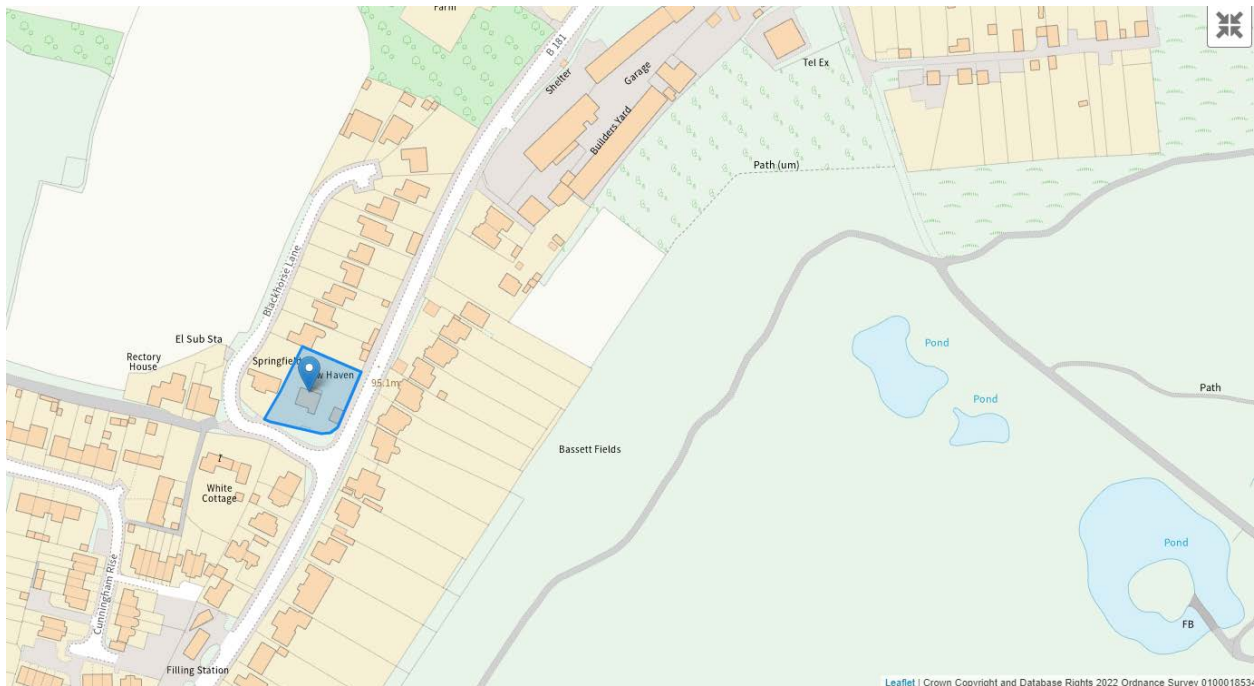


# OFFICER REPORT

**Application Ref:** EPF/2443/23  
**Application Type:** Full planning permission  
**Applicant:** Mr Robert Ray  
**Case Officer:** Nicola Bickerstaff  
**Site Address:** New Haven, Blackhorse Lane, North Weald Bassett, Epping, CM16 6EP.  
**Proposal:** Part demolition, extension and conversion of existing three bedroom dwelling into 2 semi detached 4 bedroom dwellings and erection of 1 x 4 bedroom detached dwelling. Demolition of detached garage  
**Ward:** North Weald Bassett  
**Parish:** North Weald Bassett  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0hTv000000035x>  
**Recommendation:** Approve with Conditions



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***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).***

## **Site and Surroundings**

The application site comprises a chalet bungalow in a large corner plot at the junction of High Road and Blackhorse Lane.

The site is not in the Green Belt or a Conservation Area. The existing dwelling is not listed or locally listed.

## **Proposal**

The proposal is for the part demolition, extension and conversion of existing three bedroom dwelling into 2 semi detached 4 bedroom dwellings and erection of 1 x 4 bedroom detached dwelling. Demolition of detached garage.

This is a resubmission of EPF/2764/22 Extension and conversion of existing three bedroom dwelling into 2 semi detached 4 bedroom dwellings and erection of 1 x 4 bedroom detached dwelling  
Demolition of detached garage

## **Relevant Planning History**

EPF/2764/22 Extension and conversion of existing three bedroom dwelling into 2 semi detached 4 bedroom dwellings and erection of 1 x 4 bedroom detached dwelling  
Demolition of detached garage Refused 05.05.2023

EF\2022\ENQ\00207

Pre application for a proposed demolition of existing detached, 3 bedroom house and erection of 4 x 4 bed, two storey houses. Advice given 31.05.2022

EPF/1013/87 Adjoining, New Haven, 2 Blackhorse Lane, North Weald Outline application for single storey detached dwelling and garage. Refused 20.11.1987

## **Development Plan Context**

*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: Presumption in Favour of Sustainable Development.
- DM1: Habitat protection and improving biodiversity
- DM2 Epping Forest SAC and the Lee Valley SPA

DM5 Green & Blue Infrastructure  
DM9: High Quality Design  
DM10: Housing Design and Quality  
DM15: Managing Drainage Systems  
DM16 Sustainable Drainage Systems  
DM17 Protecting and Enhancing Water courses and flood defences  
DM19 Sustainable water use  
DM21 Local Environmental Impacts, pollution and Land Contamination  
DM22 Air Quality  
T1 Sustainable Transport Choices  
H1 Housing Mix and Accommodation Types

*National Planning Policy Framework 2023 (Framework)*

Relevant paragraphs:

47, 55, 56, 60,70,96,108,109,110,111,114,115,116,123,124,128,131,135,136,162,180 and 186.

### **Summary of Representations**

Trees & Landscape – No objection subject to conditions

Contaminated land – no objection, subject to conditions and informative.

Highways – no objection, subject to conditions and informative.

Ecology – Initial holding objection due to insufficient ecological information on European Protected Species (bats). Following further review of additional information, no objection subject to planning conditions.

Environmental Protection & Drainage Team: no objection subject to conditions and informative.

North Weald Bassett Parish Council: Objection.

*Members do not feel that their original concerns have been addressed and reiterate their original OBJECTION*

*The Parish Council strongly objects to any changes to this site especially as this is seen as one of the character houses in North Weald Village. This represents Over Development of the Site, There is insufficient Car Parking Space and Spaces, this will lead to kerb side parking, the Parish Council fully supports both EFDC and ECC in their comments in relation to parking and Highway matters. There would be difficulty in egress and ingress to the site, the proposal would represent too many changes to the street scene, detrimental to neighbouring and adjoining residents. Concern at the removal of the hedgerow and the trees on the development. Garden grabbing, and any changes would be a travesty to the character of the area.*

Number of neighbours consulted: 14. 1 objection received:

*After reviewing the original application EPF/2764/22 there is no real improvement over the original plan apart from two (2) driveways now fronting Blackhorse Lane. No doubt visiting vehicles will now be parking on the road as there is not much room for other vehicles in the driveway of the house next to "Springfields" or on the grass area outside the boundary wall of the proposed three properties. Opposite the driveways of the houses on the other side of this narrow road which is also used by parents dropping off/collecting their children attending the local primary school reached by a footpath adjacent to Blackhorse lane*

*1). 3 properties are proposed, which is over development of the site.*

*2). The current property is an individual character Chalet house which befits the locality and*

*should be retained. The proposed development would be detrimental to the local area and architecturally does not fit the location*

*3). North Weald is to be submerged with new housing (1,000 plus) as per the local plan so there is no need for this characterful property to be destroyed.*

*4). The hedging surrounding the property MUST be kept, not only at the front of the property but also along the High Road – the previous owners maintained the hedging whereas the current owners have never maintained it properly suggesting they want to replace it.*

## **Planning Considerations**

The main issues for consideration under this application relate to;

- a) Loss of Bungalow
- b) Design, Character and Appearance
- c) Residential Amenity
- d) Quality of Accommodation
- e) Highways
- f) Trees and Landscape
- g) Ecology
- h) Contaminated Land
- i) Land Drainage
- j) *Epping Forest Special Area of Conservation (EFSAC)*

### a) Loss of Bungalow:

The existing dwelling is a chalet bungalow with three first floor bedrooms. Policy H1 (F) of the new adopted Local Plan (March 2023) seeks to protect against the loss of bungalows. The proposed development involves the extension and conversion of the existing chalet bungalow into two, two storey semi-detached four bedroom dwellings. A new detached dwelling is also proposed. Each of the three proposed dwellings includes a ground floor bedroom.

On the basis that the existing dwelling is a chalet bungalow, with three first floor bedrooms (albeit there is potential for a ground floor bedroom to be created) and the proposed dwellings are comparative and will include a ground floor bedroom the proposal is not considered in conflict with Policy H1 (F) in terms of the proposed provision compared with the existing.

### b) Design, Character and Appearance:

The pre-application scheme proposed a development of 4 houses which was considered to be over development and an intensification of the site with the development appearing cramped in the plot.

The current application proposes 3 no. two storey 4 bedroom houses comprising one new build dwelling and extension and conversion of the existing dwelling to form two new two storey dwellings.

Details have been submitted to demonstrate the extent of demolition of the existing dwelling and its conversion and extensions. The description of development has been amended to that previously to reflect the fact that part of the existing dwelling will be retained as indicated on the application plans.

The proposed development is set back from both side boundaries (High Road and Blackhorse Lane) and does not come forward of the existing front building line. The rear building line is slightly deeper than the existing house but is considered to be acceptable in this regard, with sufficient space left for rear gardens.

The proposal does introduce of new built form is in an area which is relatively open, with longer views along High Road characterised by the existing mature trees. However, there is capacity for the proposal and there is development on the opposite side of the road which is also close to the footpath boundary. On balance the new dwelling being set back approximately 3.2m from High Road will not be so detrimental to warrant refusal on this basis. The proposal will make effective use of the land.

The design and appearance of the proposed dwellings forming the basis of this application is the same as that previously submitted (EPF/2764/22) which was considered to be acceptable. No accommodation is proposed in the roofspace meaning that the maximum (ridge) height of the proposed dwellings would not exceed that of the existing dwelling.

Overall and on balance the proposal is considered to be acceptable in terms of design, character and appearance, in accordance with Local Plan Policy DM9 and DM10.

c) Residential Amenity:

The extensions to the existing property and the construction of the new dwelling to not present any issues with being overbearing in relation to neighbouring properties.

In relation to overlooking. The only window facing towards the adjacent house 'Springfield' serves a staircase and thus any possible loss of privacy could be overcome by the first floor side windows being obscured glazed. The applicant would have no objection to such a condition.

The proposed development is considered to be acceptable in terms of impact on the residential amenity of neighbouring dwellings, in accordance with Local Plan Policy DM9.

d) Quality of Accommodation:

The size of the three dwellings comply with the National Technical Standards for 4 bedroom dwellings and all room sizes meet the minimum space standards. The development is therefore acceptable in terms of the quality of accommodation.

There is an adequate private amenity space for each of the dwellings.

Refuse and recycling provision is shown on the plans for each dwelling.

e) Highways and Parking:

A total of 6 no. car parking spaces are proposed to serve the 3 x 4 bedroom houses. Cycle storage is also provided for each property with a green roof.

There was a previous concern in relation to the previously proposed access and size of the proposed car parking spaces and the previous development was unacceptable in this respect.

*The development failed to provide an access wide enough to enable a vehicle to enter the site safely and efficiently whilst another vehicle is waiting to egress the site. The application was not*

*providing sufficient parking for the development, which could lead to inappropriate kerb side parking, to the detriment of highway safety.*

A HRA Trip Generation Assessment dated January 2023 accompanies the application.

A revised ground floor plan (drawing 355-60C) outlines that the parking and highway arrangements have been redesigned to overcome the Highway Authority's objections. Firstly the parking spaces have been increased in size to 5.5 x 2.9 metres with each space provided with its own electric charging point.

Secondly, in order to provide an access which will allow a vehicle entering or leaving the parking spaces to pass within the application site, an additional crossover has had to be provided. The existing crossover at the east end of the site has been extended to a width of 5.5 metres and provides access to 4 parking spaces. The additional crossover to the west has a width of 6 metres and serves the two remaining spaces.

Essex County Council Highways were consulted and their response dated 19.12.2023 advises that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

1. Prior to the first occupation of the development the access arrangements, and the parking and turning areas, as indicated on the approved plans, shall be provided and retained as such for the life of the development. Reason: To ensure that appropriate parking and turning is provided.
2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

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 2023. Informative 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](mailto:development.management@essexhighways.org)

Policy T1 (Sustainable Transport Choices) of the emerging Local Plan requires that any development which proposes vehicle parking spaces must ensure that those spaces have direct access to an electric vehicle charging point, this can be secured by a planning condition.

From a highway and transportation perspective the impact of the proposal is now acceptable to the Highway Authority.

f) Trees and Landscape:

Previous application (EPF/2764/22) was refused due to insufficient information having been submitted to show how trees and vegetation to be removed will be replaced within the proposed development to ensure there is no net loss of green infrastructure.

An updated arboricultural assessment has been submitted which shows the location of trees and hedges in relation to both the existing house and proposed development. The most significant change from the previous submission is that the assessment makes clear that all the

mature hedge around the existing front garden will be retained. The only exception is the section that has to be removed to provide an additional access to the site as required to overcome the Highway Authority's objections. As before, the necessary tree and hedge protection measures are included in the arboricultural assessment.

In order to replace lost green infrastructure in accordance with policy DM5, a Landscape Masterplan is included with the application. This proposes replacement tree and shrub planting to compensate for that which needs to be removed to facilitate the development.

Tree Officer comments dated 22<sup>nd</sup> November 2023:

*We have NO OBJECTION to this application subject to the addition of the following condition:- Tree Protection, Retention of trees and shrubs and Hard and soft landscaping.*

*Justification - Whilst the applicant has provided a tree report and / or an Arb Method Statement, the above condition does need to be included in full, and updated reports will need to be submitted for approval prior to commencement. This is because at this stage, all the applicant is required to do is to show that the development is feasible without a detrimental impact on trees.*

*Following permission being granted the information that will be required to be submitted will include; o Tree protection plan to include the alignment of utility apparatus (including drainage and ground source heat pumps), and the site set up ie locations for site huts, temporary toilets, contractor parking, storage of materials, cement mixing etc. This information is not yet known. The tree protection should also include protection of the front hedge which is shown to be retained. o A detailed Arboricultural Method statement including a list of contact details for all relevant parties. This information is not yet known. o Schedule of works to retained trees eg works required to facilitate demolition / construction activities. This information is not yet known. o Arboricultural site monitoring schedule, A detailed schedule of visits is required.*

Appropriate planning conditions can relate to Tree Protection, Retention of trees and shrubs and Hard and soft landscaping. This previous reason for refusal has been overcome.

g) Ecology:

Previous application (EPF/2764/22) was refused as no Preliminary Roost Assessment or Bat emergence surveys had been submitted. A bat emergence and re-entry survey has been conducted and the report dated 31.08.23 accompanies the application.

The results indicate that although pipistrelle bats were recorded on both evenings flying around the garden, no roosting activity was recorded on either evening at the existing house or garage. Surveys were also carried out in the loft of the house but no bat droppings were observed. The report includes a number of recommendations for future actions, including the provision of bat boxes. These can be secured by planning condition.

The Bat Emergence and Re-entry Surveys (Arbtech, August 2023) has undertaken suitable emergence surveys for bats on the two buildings present on site, which did not record any bats emerging and or entering the buildings. However, the Arboricultural Impact Assessment (Hallwood Associates, June 2023) shows the removal of several category C trees. These trees had not been subject to a Ground Level Tree Assessment (GLTA) by a suitably licenced ecologist,

to assess whether or the trees have any bat roosting features. This information is required prior to determination to ensure that no bats and or their roosts are impacted by the proposals.

The consultation with Place Services Ecology states: *We are now satisfied that there is sufficient ecological information available for determination of this application*

*The Preliminary Roost Assessment (Arbtech, January 2024) which has now been submitted includes the required detail relating to a Ground Level Tree Assessment (GLTA). The assessment states the trees had negligible bat roost potential. As stated previously Bat Emergence and Re-entry Surveys (Arbtech, August 2023) has undertaken suitable emergence surveys for bats on the two buildings present on site, which did not record any bats emerging and or entering the buildings.*

*An increase in artificial light would negatively impact foraging bats. We recommend lighting details are outlined within a wildlife sensitive lighting scheme, in line with best practice guidance GN:08/23 from the Institute of Lighting Professionals<sup>1</sup> and secured by a condition of any consent. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.*

*The mitigation measures identified in the Bat Emergence and Re-entry Surveys (Arbtech, August 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats and breeding birds.*

*We also support the proposed biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). The biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. It is recommended that this could also include provision of integrated bat and bird boxes.*

*This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.*

*We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.*

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS
2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY
3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

h) Contaminated Land:

EFDC Contaminated Land comments dated 6<sup>th</sup> December 2023:

*I have screened readily available records held by the Council for this site including our GIS database and aerial photographs. From the records I can see, the site has no acknowledged potentially contaminated land, though adjacent land does. However, as this proposal is for residential land use - a sensitive land use, it is advised that it would be necessary to investigate all potential land contaminative issues.*



*In line with Essex Contaminated Land Consortium Land Affected by Contamination Guidance and National Planning Guidance, the applicant is advised to submit a Phase 1 and as necessary a Phase 2 and a Detailed Remediation Scheme produced by a National Planning Policy Framework defined "Competent Person" with any application made to develop the site.*

*Due to the sensitive nature of the proposed residential use, I recommend that the land contamination condition be attached to any approval. Once a contaminated land assessment document has been received and reviewed the attached condition would be considered for discharge. 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, and Policies RP4 of the adopted Local Plan and Alterations 1998 & 2006.*

*An Asbestos informative is also necessary.*

*Asbestos Informative. It is noted that existing buildings may contain Asbestos Containing Materials (ACM's). The applicant is required to ensure that all contractors involved in the demolition and site clearance works are aware of the requirements of the Control of Asbestos at Work Regulations 2012. It is essential that an asbestos survey is undertaken and where ACMs are discovered, risks are Epping Forest District Council appropriately managed, ensuring safe removal and disposal offsite by specialist contractors in accordance with good practice and current HSE guidance. Further, it is the responsibility of the developer to ensure measures are put in place to prevent contamination of the soils during such works. Evidence may therefore be required by The LPA as part of the contaminated land condition to show that any ACMs, identified following a required asbestos survey, have been appropriately disposed from the site.*

i) Land Drainage:

EFDC Land Drainage comments dated 20<sup>th</sup> December 2023 stated:

Having reviewed the above application in line with the Council's adopted Local Plan policies, namely DM15, DM16 and DM17, and noting the previous application, I have no objection to this new application in principle, subject to the approval/implementation of the requirements set out below.

There is a Thames Water foul water public sewer within the red line boundary of the site. Any works within three metres of a public sewer requires build over consent from Thames Water Developer Services. For further information please refer to:<https://www.thameswater.co.uk/help/home-improvements/building-near-pipes>

Surface Water Drainage informative - The opportunity of new development should be taken to reduce surface water runoff from the site by incorporating sustainable drainage systems into the drainage design, and apply the principles as set out in the DM16 and in turn the CIRIA SuDS Manual (C753) and the Essex County Councils SuDS Design Guide (2020).

The applicant must consider the use of sustainable drainage features in the first instance, and at the very least techniques such as rainwater harvesting, green roofs and permeable paving should

be utilised. Therefore, planning condition requiring approval of surface water details by the Local Planning Authority prior to any preliminary groundworks commencing required.

j) *Epping Forest Special Area of Conservation (EFSAC)*

Policy DM22 relates to Air Quality which seeks to ensure that both the residents and ecological assets of the District, including the Epping Forest SAC, are protected from the impacts of atmospheric pollution.

Previous application (EPF/2764/22) was refused in the absence of a completed Section 106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of air pollution. Failure to secure such mitigation is contrary to policies DM2 and DM22 of the new adopted Epping Forest Local Plan (March 2023) and the requirements of the Habitats Regulations 2017.

A HRA Trip Generation Assessment dated January 2023 accompanies the application.

The proposed development would result in a net increase of one dwelling.

All new development that may impact on the Epping Forest Special Area of Conservation (SAC) in terms of recreational pressure and air quality are required to provide suitable mitigation.

In the case of the proposed development mitigation is only required in respect of air quality due to the site's location falling outside of the 6.2km zone where recreational mitigation is required. A S.106 can secure this contribution. A signed consent form to cover Council costs dated March 2023, is submitted with this application.

#### Other matters

In response to representations received, the proposal provides sufficient parking and there are no objections from Essex County Council Highways. It is recognised that soft landscaping is an important component and a planning condition concerning this is proposed. The proposal will intensify the use of the site but will make effective use of the land, there is sufficient amenity space for all properties. Each application is determined on its own merits and there is not a compelling reason to refuse the proposal on the basis of the changes proposed to the existing building.

#### **Planning Balance & Conclusion**

In summary, this application has overcome the previous reasons for refusal.

The proposal makes an efficient use of land. For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC.

This recommendation for approval is contrary to views of North Weald Bassett Parish Council and one neighbour. This application is therefore before the Planning 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*)).

**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](mailto:contactplanning@eppingforestdc.gov.uk)**

Conditions:

1	<p>The development hereby permitted shall begin not later than three years from the date of this decision.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250) dated Sept 2022,  Drawing 355-50 – Existing Ground Floor Plan  Drawing 355-51 – Existing First Floor &amp; Roof Plans  Drawing 355-52 – Existing Elevations  Drawing 355-53 –Existing Elevations (Side)&amp;Section  Drawing 355-60C – Proposed Ground Floor Plan  Drawing 355-61 – Proposed First Floor Plan  Drawing 355-62 – Proposed Roof Plan  Drawing 355-63– Proposed Elevations Front&amp;Rear  Drawing 355-64– Proposed Elevations (Sides) &amp; Section/Proposed Block Plan  Drawing 355-65– Existing &amp; Proposed Streetscene  Arboricultural Impact Assessment, Hallwood Associates, 23/06/2023  HRA Trip Generation Assessment, EAS, Rev A 25/01/2023.  HWA10860-LMP – Landscape Masterplan</p> <p>Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.</p>
3	<p>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.</p> <p>Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 &amp; DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
4	<p>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.</p>

	<p>The Tree protection plan should include the alignment of utility apparatus (including drainage and ground source heat pumps), and the site set up ie locations for site huts, temporary toilets, contractor parking, storage of materials, cement mixing etc. This information is not yet known. The tree protection should also include protection of the front hedge which is shown to be retained. o A detailed Arboricultural Method statement including a list of contact details for all relevant parties. This information is not yet known. o Schedule of works to retained trees eg works required to facilitate demolition / construction activities. The development shall be carried out only in accordance with the approved documents.</p> <p>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 &amp; DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
5	<p>Prior to the removal of any existing landscape features on the site, details of the retained landscaping (trees/hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.</p> <p>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 &amp; DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p> <p>Pre-commencement Pre-commencement Help Info Code Code Help Info</p>
6	<p>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.</p>

	<p>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 &amp; DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
7	<p>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.</p> <p>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.</p> <p>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.</p>
8	<p>Electric vehicle charging points shall be provided for one car parking space of each dwelling shown on the approved plans. The spaces shall be constructed and</p>

	<p>marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.</p> <p>Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with Policies T1 &amp; DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
9	<p>The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.</p> <p>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.</p>
10	<p>The proposed dwellings hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.</p> <p>Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households, in accordance with Policy H1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
11	<p>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.</p> <p>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 &amp; DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
12	<p>No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.</p> <p>Reason: To avoid displacement of loose material onto the highway in the interests of highway safety. 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.</p>
13	<p>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.</p>

	<p>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 &amp; DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
14	<p>Prior to first occupation of the building hereby permitted the window in the flank elevation at first floor level and above, shall have been fitted with obscure glass with a minimum Pilkington privacy level 3 obscurity (or equivalent), and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained at these specifications thereafter.</p> <p>Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
15	<p>Prior to first occupation of the building hereby permitted the window in the flank elevation at first floor level and above, shall have been fitted with obscure glass with a minimum Pilkington privacy level 3 obscurity (or equivalent), and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained at these specifications thereafter.</p> <p>Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
16	<p>Prior to first occupation of the building hereby permitted the window in the flank elevation at first floor level and above, shall have been fitted with obscure glass with a minimum Pilkington privacy level 3 obscurity (or equivalent), and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained at these specifications thereafter.</p> <p>Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
17	<p>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.</p> <p>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.</p>

18	<p>Prior to first occupation of the development, the mitigation measures identified in the Bat Emergence and Re-entry Surveys (Arbtech, August 2023) should be secured and implemented in full.</p> <p>Reason: This is necessary to conserve and enhance protected and Priority species particularly bats and breeding birds. In accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
19	<p>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 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.</p> <p>Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife &amp; Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats &amp; species).</p>
20	<p>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 elevations, without the prior written agreement of the Local Planning Authority.</p> <p>Reason: To 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.</p>
21	<p>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 A, B, C, D or E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.</p> <p>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 in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.</p>
22	<p>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 elevations, without the prior written agreement of the Local Planning Authority.</p>



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.
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**Informatives: (8)**

- 1) It is noted that the existing buildings may contain Asbestos Containing Materials (ACM's). The applicant is required to ensure that all contractors involved in the demolition and site clearance works are aware of the requirements of the Control of Asbestos at Work Regulations 2012. It is essential that an asbestos survey is undertaken and where ACMs are discovered, risks are appropriately managed, ensuring safe removal and disposal offsite by specialist contractors in accordance with good practise and current HSE guidance. Further, it is the responsibility of the developer to ensure measures are put in place to prevent contamination of the soils during such works. Evidence may therefore be required by The LPA as part of the contaminated land condition to show that any ACMs, identified following a required asbestos survey, have been appropriately disposed from site.
- 2) Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/ near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk).

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

- 3) There is a Thames Water foul water public sewer within the red line boundary of the site. Any works within three metres of a public sewer requires build over consent from Thames Water Developer Services. For further information please refer to: <https://www.thameswater.co.uk/help/home-improvements/building-near-pipes>
- 4) There is a Thames Water foul water public sewer within the red line boundary of the site. Any works within three metres of a public sewer requires build over consent from Thames Water

Developer Services. For further information please refer to: <https://www.thameswater.co.uk/help/home-improvements/building-near-pipes>

- 5) 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](mailto:development.management@essexhighways.org) or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.

- 6) This decision is made with reference to the following plan numbers:

Location Plan (1:1250) dated Sept 2022,  
Drawing 355-50 – Existing Ground Floor Plan  
Drawing 355-51 – Existing First Floor&Roof Plans  
Drawing 355-52 – Existing Elevations  
Drawing 355-53 – Existing Elevations (Side)&Section  
Drawing 355-60C – Proposed Ground Floor Plan  
Drawing 355-61 – Proposed First Floor Plan  
Drawing 355-62 – Proposed Roof Plan  
Drawing 355-63– Proposed Elevations (Front&Rear)  
Drawing 355-64– Proposed Elevations (Sides) and Section/Proposed Block Plan  
Drawing 355-65– Existing and Proposed Streetscene  
Arboricultural Impact Assessment, Hallwood Associates, 23/06/2023  
HRA Trip Generation Assessment, EAS, Rev A 25/01/2023.  
HWA10860-LMP – Landscape Masterplan

- 7) 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.
- 8) This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.