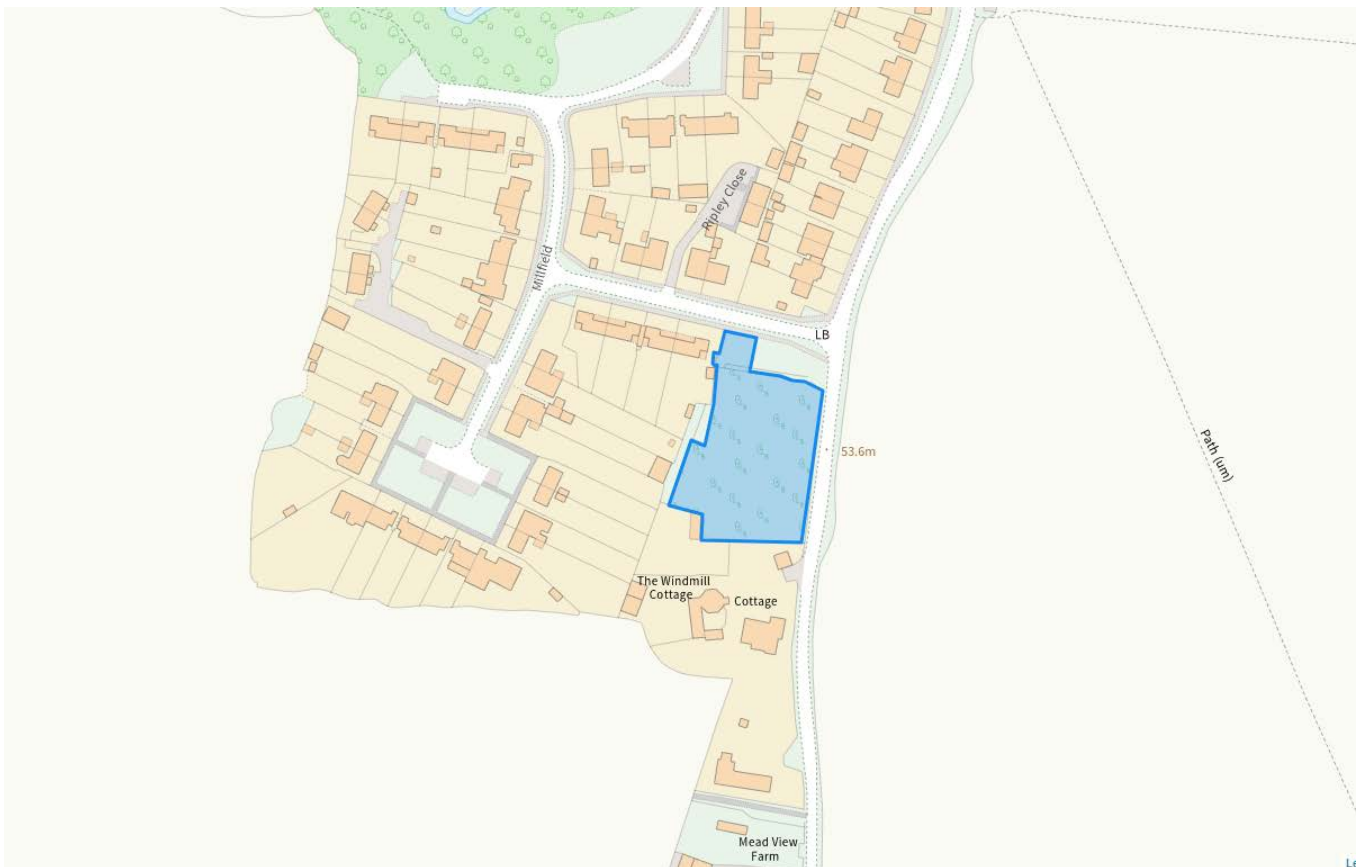


# OFFICER REPORT

**Application Ref:** EPF/1718/18  
**Application Type:** Full planning permission  
**Applicant:** Mr D Sherrin  
**Case Officer:** Muhammad Rahman  
**Site Address:** Land at Mill Lane, High Ongar, CM5 9RQ  
**Proposal:** (HONG.R1) - Erection of 7 three bedroom houses including new access from Millfield, provision of parking spaces, amenity space and landscaping.  
**Ward:** High Ongar, Willingale and The Rodings  
**Parish:** High Ongar  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NxDI>  
**Recommendation:** Approved with Conditions (Subject to s106 Legal Agreement)



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*This application is before this Committee since it is for a type of development that cannot be determined by Officers if five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

## **Site and Surroundings**

The site is located on the corner of Millfield and Mill Lane within the area of High Ongar and is 0.3Ha in size. The site is located on the eastern side of an existing area of housing development, to the south of the junction between Millfield and Mill Lane. The site is currently vacant and has a quite substantial number of trees and other greenery, including two trees benefitting from TPO status.

The site is not within the Green Belt or a Conservation Area, nor are there any listed buildings on site.

The site is allocated for residential development within the adopted Local Plan for approx. 10 dwellings (Site Ref HONG.R1).

## **Proposal**

The proposal is for the erection of 7 three-bedroom houses including new access from Millfield, provision of parking spaces, amenity space and landscaping.

Plans and supporting documents were revised since the previous deferral, including a reduction in the number of units proposed from 8 down to 7 units.

All parties were re-consulted on the changes.

## **Relevant Planning History**

EPF/0403/17 – Erection of 8 new dwellings – Withdrawn

## **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	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
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
DM17	Protecting and Enhancing Watercourses and Flood Defences
DM18	On Site Management of Wastewater and Water Supply

DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality
P12	High Ongar
D1	Infrastructure

*National Planning Policy Framework 2023 (Framework)*

Paragraph	11
Paragraphs	131 & 135
Paragraph	186

**Summary of Representations**

Number of neighbours Consulted: 63. 29 response(s) received  
 Site notice posted: Yes

**3 MILL GROVE – SUPPORT**

7, 9, 11, 13, 16, 18, 23, 24, 27, 30, 37, 39, 40, 41, 42, 43, 44, 45, 50, 51, 53, 55, 61 & 62 MILLFIELD, 76, 92 & 258 MILL LANE, MILL COTTAGE, THE WINDMILL COTTAGE – OBJECTIONS – Summarised as:

- Parking/Traffic Concerns;
- Highway Safety;
- Refuse concerns;
- Out of Keeping;
- Overdevelopment;
- Impact on Trees/Ecology;
- Loss of Privacy;
- Drainage Concerns;
- Infrastructure Concerns; and
- Impact on Heritage Assets.

HIGH ONGAR PARISH COUNCIL – High Ongar Parish Council object to this application on the below grounds:

- Insufficient parking provision.
- Difficulty of access.
- Overdevelopment of the site which will exacerbate the existing parking provision in the immediate area.
- Lack of amenity space.

The details of the planning application consist of many errors such as discussing "Thornwood Common", which has no relevance in this application. This leaves the Parish Council with questions as to if there are any further errors within the application.

High Ongar Parish Council would like the opportunity to speak at Plans East.

**Planning Considerations**

The main issues for consideration in this case are:

- a) Have the site-specific policy requirements been satisfied with regards to;
  - a. Trees;
  - b. Access; and
  - c. Green Belt Boundary
- b) The impact on the character and appearance of the area;

- c) Parking provision;
- d) The impact to the living conditions of neighbours;
- e) Standard of Accommodation for future occupiers;
- f) The impact on the Epping Forest Special Area of Conservation; and
- g) Planning Obligations.

### *Site Specific Policy Requirements*

Policy P12 of the adopted LP sets out the following site-specific requirement for this allocated site, which are;

#### Trees

A. There are trees on the Western part of the site which are protected by Tree Preservation Orders, one of which is also a Veteran Tree. These trees should be incorporated into the development proposals to avoid the loss of, or damage to, them. This could include providing an appropriate buffer zone around the trees or incorporating them within on-site open or amenity space.

#### On-site Constraints

B. Development proposals should create a new vehicular access for the site from Millfield. This is to ensure a safe access point is provided which has sufficient capacity for the development it serves.

#### Green Belt Boundary

C. As part of the development proposals, a new defensible boundary to the Green Belt will need to be established along the Southern edge of the site.

With regards to trees and the green belt boundary.

Policy DM3 of the LP states that development proposals must have due regard and be sensitive to their setting in the landscape, including local distinctiveness and characteristics.

Officers note the concerns raised by local residents regarding this matter. Since the initial submission of the application in 2018 revised tree reports taking account of the latest government advice have been submitted and reviewed by the Councils Tree Team, who have raised no objection subject to recommended conditions (full comments are published under the case file).

Subject to the proposed conditions therefore, it is evident that the development can be delivered without harming the protected trees.

In addition to protecting the protected trees, it is a policy requirement as part of the proposed allocation to provide a new, defensible Green Belt boundary on the southern edge of the site. The applicant intends to do this through landscaping. This is an appropriate approach given the context of the site. It is concluded that further details of this landscaping is required and this can be secured through condition.

#### Access

Officers understand this issue is of a major concern to local residents.

The access arrangements onto Millfield are suitable, provide appropriate visibility splays and raise no concerns with regards to highway safety or efficiency. This position is endorsed by Essex County Council as the highway authority (subject to recommended conditions), who have commented that:

*The Highway Authority is satisfied that the vehicle generation of the proposed development will not be detrimental to highway safety, capacity or efficiency at this location.*

*The access will have suitable visibility and geometry for the proposal. Notwithstanding that a bellmouth has been shown on the plans, the Highway Authority considers this to excessive for the location and the scale of development, and the preference would be for a wide dropped kerb crossing to access the development. This also prioritise pedestrians over vehicles.*

*The existing disabled bay will need to be relocated to provide safe access in and out of the site and yellow lines will be required to keep vehicles clear of it in the future. Furthermore, the development is improving the accessibility of the location with a wider footway and a dropped kerb crossing, where currently, one does not exist.*

For the reasons set out above, the site-specific policy requirements have been satisfied.

### *Character and Appearance*

Policy DM9 is clear that new development proposals must achieve a high quality of design by being respectful to the character and appearance of their setting and to the local distinctiveness of the area.

Whilst the proposed allocation seeks approximately 10 new dwellings on the site, the proposal is for 7. These smaller allocation sites are rightly expressed as 'approximate' numbers on smaller scale allocations in the adopted Local Plan to reflect that the number may fluctuate slightly due to site constraints. In this case, there are two protected trees on the site and the slight reduction is to account for their protection according to the latest Government guidance for Trees. In such circumstances it is concluded that the 30% reduction proposed is compliant with the proposed allocation in terms of housing numbers.

Turning to the design, the proposed new housing will be for the most part in a linear layout along the eastern edge of the site adjacent to Mill Lane, other than a detached dwelling (plot 7) to the west. However, the rear gardens of the dwellings to the east will front onto Mill Lane, ensuring that they will not appear overly prominent or obtrusive from the street scene.

As for their detailed design, the dwellings are conventional and would be respectful to the prevailing character of their setting.

### *Parking Provision*

The proposal provides 14 private car parking spaces (2 per dwelling) and 2 visitor spaces. As such, it is in line with Policy T1 of the LP. No objections were raised by the Highways Officer subject to recommended conditions.

### *Neighbouring Amenities*

The new dwellings are set away from existing neighbours on Millfield and Mill Lane and therefore will not cause substantial harm to their living conditions, in terms of loss of light, loss of privacy, overbearing and visual impact.

### *Standard of Accommodation*

The proposed dwelling would have ample external amenity space and also meet the internal space standards as set out in Policy DM10 of the LP. They are also well related to each other and leave reasonable gaps in between to ensure a good standard of accommodation will be provided.

## *Epping Forest Special Area of Conservation*

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 2011 – 2033 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 outside the 0-3km / 3-6.2 km Zone of Influence as identified in the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. Consequently, the development would not 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 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 atmospheric pollution.

### **Stage 2: 'Appropriate Assessment'**

#### 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 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 agreed to make a financial contribution in accordance with the APMS. In addition, the application will be subject to planning conditions (EVCP/Broadband) to

secure measures as identified in the APMS. 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.

### *Planning Obligations*

It is recognised that new developments have potentially greater impacts on the wider environs beyond the site-specific matters considered above.

Policy D1, Part A of the LP sets out that:

- a. New development must be served and supported by appropriate on and off-site infrastructure and services as identified through the Infrastructure Delivery Plan Schedules.

The Infrastructure Delivery Plan (“IDP”) forms part of the evidence base that underpins the Local Plan. The entirety of the report is published online, but part B sets out the necessary contributions for each settlement in the District and an indicative cost for their delivery.

Members will be aware that IDPs are, by their very nature, a ‘snapshot in time’ and as different infrastructure providers respond to their own unique challenges, the information that they provide will naturally date and alter over time. It therefore needs to be recognised from the outset, that the IDP should be viewed as a ‘live document’ that is subject to change.

Therefore, if any stakeholders/providers (e.g., Essex County Council) etc. recently consulted, provide confirmation of the contributions/obligation they require, we should work with their advice, as they are best placed to know their up-to-date needs.

Some of the costs may be high in relation to the size of the development and there may be provision made on site that needs to be. Contributions will therefore be subject to negotiations with the developer.

The IDP sets out the infrastructure priorities based on evidence but the level of contribution secured must be considered on a site-by-site basis and the infrastructure priorities that are required for each site.

In the event that planning permission is granted a s106 legal agreement would be required to secure the following financial contributions below.

For clarity, Officers are satisfied that the obligations below are necessary to make the development acceptable in planning terms, that they are directly related to and are fairly and reasonably related in scale and kind to the development, and so meets the tests set out in paragraph 57 of the Framework and the CIL Regulations 2010 (as amended).

#### 1. Open Space

- a. Additional provision of public parks and gardens = £38,437 (£5,491 per dwelling)
  - b. Additional provision of amenity greenspace = £14,000 (£2,000 per dwelling)
  - c. Additional provision for children and young people = £9,758 (£1,394 per dwelling)
  - d. The Provision of public open space including a Management Plan and Details and arrangements of the Management company will be required.
2. EFSAC Mitigation = £2,345 (£335 per dwelling)

Total Costs = £64,540 + Additional Payment of Monitoring Fees = £3,227

Each of these contributions have been derived from objective evidence through the Local Plan making process. This site is a proposed allocation and therefore it is clear that it will need to appropriately contribute to the delivery of infrastructure set out above.

### *Other Considerations*

Officers note the concerns regarding drainage and ecology; however, these matters are to be assessed in detail at the approval of conditions stage.

The site is sited more than 400m away from the High Ongar Conservation Area and the Listed Buildings. It is unclear as to how this development would affect the setting of the conservation area.

### **Planning Balance and Conclusion**

In summary, the proposal satisfies the site-specific policy requirements; will relate positively to the locality, safeguard the living conditions of neighbouring properties, the safety operation of the highway network, and trees, and also provide a good level of accommodation for future users. There would also be benefit to the local economy from the construction and occupation of the homes and further contributions towards services such as open space.

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 and identified obligations including additional payment of monitoring fees.

***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: (24)**

- 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: 01, 02 Rev L, 03 Rev F, 08 Rev L, 09 Rev L, 10 Rev B, 11 and 12.

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

- 3 Prior to commencement of the development the existing disabled bay adjacent to the proposed new access shall have been relocated on Millfield (or a suitable alternative location to be agreed with the Highway Authority, in writing), away from the proposed access, and within an appropriate distance of the users address, through the appropriate mechanism, and any associated signing and lining as required.



Reason: To ensure that safe and efficient access can be maintained in and out of the access 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.

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

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

- 5 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway where possible:

- Safe access into the site
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out 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.

- 6 No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Method Statement for protected and Priority species (Great Crested Newt, reptiles, Badger, Hedgehog and breeding birds) has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the following:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);

g) disposal of any wastes arising from works.

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

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (Priority habitats & species), s17 Crime & Disorder Act 1998 and Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 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.

- 8 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 prior to first occupation and 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 December 2023 and s40 of the NERC Act 2006 (Priority habitats & species), Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 9 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and

- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
- b) How charging point usage will be charged amongst users;
- c) The process and the triggers for identifying when additional passive charging points will become activated; and
- d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

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, DM2 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 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: boundary treatments; proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.

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

- 11 No works to 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 careful, detailed check for active birds nests immediately before the structure is demolished and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Such confirmation shall be submitted to and approved by the Local Planning Authority before the said demolition commences.

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 An assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. To ensure the 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 is 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.

- 13 Prior to first occupation of the development, All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Open Spaces Landscape Architects, February 2024) and so retained.

Reason: To maintain and improve the biodiversity of the site and to mitigate any impact from the development hereby approved, in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 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.

- 15 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.

- 16 Prior to first occupation of the buildings hereby permitted the window(s) in the flank elevation(s) 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.

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.

17 Prior to the first occupation of the development the access arrangements, as shown in principle on EAS drawing no.SK03, shall be fully implemented and shall include, but not limited to, the following:

- Access by way of a wide dropped kerb
- Footway widened to 2m across the site frontage to Mill Lane, on the southern side of Millfield;
- Provision of two dropped kerb crossing points and tactile paving across Millfield and suitable tie into the existing footway on the northern side of Millfield;
- Implement double yellow lines (parking restrictions), through a Traffic Regulation Order, approximately as shown on the plan with any associated signing and lining as required.

Reason: To ensure that safe and appropriate access for all users 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.

18 Prior to the first occupation of the development 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, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

19 Prior to first occupation of the development hereby permitted, 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 bats 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 prior to first occupation and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

- 20 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.

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.

- 21 The proposed dwelling(s) hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

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.

- 22 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.

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

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

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

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

**Informatives: (3)**

- 25 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.
- 26 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)
- 27 Works are proposed to or within eight metres of an open or piped watercourse therefore Land Drainage consent is required. For further information on the Land Drainage consent process or to find the application forms the applicant should visit the link below.

<http://www.eppingforestdc.gov.uk/index.php/residents/your-environment/drainage/flooding-and-land-drainage>

There may be a public sewer within/adjacent the site therefore the applicant should consult with Thames Water on the exact location of the sewer and determine whether any works are proposed within three metres. Any works within three metres of a Public Sewer requires build over consent from Thames Water Developer Services.