

Former Borders Lane Playing Fields (Site B) Suggested Conditions

EPF/0379/20 AND APP/J1535/W/20/3263876

Notwithstanding and without prejudice to the Council's case the following conditions are suggested should the Inspector be minded to grant full planning permission:

Prior to Development Commencing

1. No development (other than demolition, site clearance and enabling works) shall commence until 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 have been submitted to and approved in writing by the local planning authority.

If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

Reason: 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 can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF

2. No development or preliminary groundworks shall take place on the relevant part of the development until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: To ensure the proposed works preserve the special architectural and historic interest of the building in accordance with the NPPF, HC1 of the adopted Local Plan and DM7 of the Local Plan Submission Version (2017).

3. No development relating to the residential components 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:

- 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 limit the impact of the construction work on the environment and on living conditions of residents living in close proximity to the site, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.

4. No development related to the Wellness Centre 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:

- 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

Prior to Any Above Ground Works

5. 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 in accordance with approved plans and documents and 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; **details of reuse of existing materials**, means of enclosure; car parking layouts; **play equipment; public realm furniture;** other minor artefacts and structures, including signs and lighting **(including appropriate lux levels)** 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, **girth sizes (where appropriate)** and proposed numbers/densities where appropriate. If within a period of three 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, unless the Local Planning Authority gives its written consent to any variation.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

6. Prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use, a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity to be provided by the new landscaping is achieved and safeguarded, and to ensure a satisfactory appearance to the development, in

accordance with policies LL7 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

7. Before development commences above slab level on the relevant part of the development, , a Biodiversity Enhancement Plan will be submitted to the LPA for approval. This should include native planting of wildflowers beneficial to bats, the inclusion of bird and bat boxes on the new buildings or trees, a stag beetle logger and hedge-planting. The development shall be carried out in accordance with the approved details.

Reason: To conserve protected species or their breeding sites, or resting places in accordance with the NPPF, policies NC4 and NC5 of the adopted Local Plan and Alterations and DM1 of the Local Plan Submission Version (2017).

8. No construction works above slab level shall take place on the relevant part of the development, until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: The National Planning Policy Framework paragraph 163 and paragraph 170 states that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

9. No above ground works shall take place on the relevant part of the development until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

Reason: To ensure the impact of the intended development upon adjacent properties and the street scene is acceptable, in accordance with policies CP2, DBE1 and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM12 of the Local Plan Submission Version 2017, and the NPPF 2019.

10. No development related to the residential components shall commence above slab level of any individual building until details and a schedule of materials and products of all external facing materials to be used in the construction of that building have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Detailed drawings must include (where appropriate):

- Principal features on the facades e.g. bay studies (1:50 @ appropriate paper size)
- Details of each envelope / roof type (1:20 @A3)
- Detailed brick elements including mortar joint profile (1:20 @A3)
- Details of glazing systems including any manifestation (1:20 @A3)
- Key junctions/bonds between materials/finishes (1:20 @A3)
- Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)
- Elevational location of all joints eg structural, movement, panels (1:100 @ appropriate paper size)

- Elevational location of all openings in envelope eg ventilation grilles, bird & bat boxes (1:100 @ appropriate paper size)
- Elevational location of all items which are fixed to the façade eg fins/louvres, signage, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes (1:100 @ appropriate paper size)
- Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to balconies / terraces (1:20 @A3)
- Details of balconies and terraces including floor finishes (1:20 @A3)
- Balustrade details (1:20 @A3)
- Details of soffits and canopies (1:20 @A3)

Details of materials and products must include (where appropriate):

- Façade and roof cladding materials
- Brick and mortar type including mortar joint profile
- Window / door types (including finishes, glass types and any manifestation)
- Facing metalwork (e.g. balustrades, service doors, screens, gates)
- All items which are fixed / integrated to the façade (eg fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
- Soffit and canopy materials
- Balcony and terrace floor finishes

Samples of the above materials and full-size mock-ups of facades should be made available on site for inspection if requested by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2019.

11. No development related to the Wellness Centre shall commence above slab level until details and a schedule of materials and products of all external facing materials to be used in the construction of the building hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Detailed drawings must include (where appropriate):

- Principal features on the facades e.g. bay studies (1:50 @ appropriate paper size)
- Details of each envelope / roof type (1:20 @A3)
- Details of glazing systems including any manifestation (1:20 @A3)
- Key junctions/bonds between materials/finishes (1:20 @A3)
- Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)
- Elevational location of all joints eg structural, movement, panels (1:100 @ appropriate paper size)
- Elevational location of all openings in envelope eg ventilation grilles, bird & bat boxes (1:100 @ appropriate paper size)
- Elevational location of all items which are fixed to the façade eg fins/louvres, signage, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes (1:100 @ appropriate paper size)
- Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to terraces (1:20 @A3)
- Details of terraces including floor finishes (1:20 @A3)

- Balustrade details (1:20 @A3)
- Details of soffits and canopies (1:20 @A3)

Details of materials and products must include (where appropriate):

- Façade and roof cladding materials
- Window / door types (including finishes, glass types and any manifestation)
- Facing metalwork (e.g. balustrades, service doors, screens, gates)
- All items which are fixed / integrated to the façade (eg fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
- Soffit and canopy materials
- Terrace floor finishes
- Samples of the above materials and full-size mock-ups should be made available on site for inspection if requested by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2019.

12. Prior to any above ground works of the development hereby permitted a plan indicating the position, design, materials and type of boundary treatment to be erected shall have been submitted to and approved by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the occupation of the development and thereafter permanently retained.

Reason: To ensure a satisfactory appearance of the development, in accordance with Local Plan and Alterations policies DBE1 and Submission Version Local Plan (2017) & DM9, all of which are consistent with the National Planning Policy Framework.

Prior to Occupation

13. Prior to the first occupation of the relevant part of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate parking and turning is provided.

14. Following completion of the measures identified in the approved remediation scheme as per Condition x, and prior to the first use or occupation of individual block relating to the residential component, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason:- 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 can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF 2019.

15. Prior to occupation a “lighting design strategy for bats” shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order to conserve protected species or their breeding sites, or resting places in accordance with the NPPF, policies NC4 and NC5 of the adopted Local Plan and Alterations 1998 & 2006 and policy DM1 of the Local Plan Submission Version (2017).

16. Prior to occupying more than 50% of the residential dwellings the developer shall be responsible for the following, with all details being agreed with the Highway Authority:

- Visibility splay improvements to the east of access – vegetation to be cleared and trimmed as necessary;
- The Give Way and associated road markings to be refreshed at the access;
- A pedestrian dropped kerb crossing and tactile paving across Borders Lane;
- Provision of a raised table on the route of Footpath no.127 Loughton across the accessway into the site;
- Provision of a bus shelter to ECC specification at the eastbound bus stop (Murray Hall) approximately 230m to the west of the site on Borders Lane.

The approved details shall be fully implemented prior to first occupation of the development.

Reason: To ensure that safe, efficient and improved accessibility is provided for all highway users.

17. Prior to the first occupation of the residential components details shall be submitted to the Local Planning Authority, to be approved in writing, for the implementation of 3.5m wide shared use paths across the site, from the west (Luctons Path) to the east (Ladyfields), and onto Colston Road through the existing access to the south east of the site. The approved details shall then be fully implemented and retained as such.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

18. Prior to the occupation of individual blocks relating to the residential component the vehicle parking and turning areas as indicated on the approved plans associated with those blocks shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate parking and turning is provided.

19. Prior to the first occupation of the residential component and in accordance with the approved plans the developer shall submit details to the Local Planning Authority, to be approved in writing, for all the cycle parking stores within the communal areas; with the approved facilities being secure, convenient and covered. The approved details shall be implemented and retained as such at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

20. Prior to occupation of the residential component, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

21. Prior to first occupation of the residential component, 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 and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF 2019.

22. Prior to the first use of the Wellness Centre a “lighting design strategy for bats” shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order to conserve protected species or their breeding sites, or resting places in accordance with the NPPF, policies NC4 and NC5 of the adopted Local Plan and Alterations 1998 & 2006 and policy DM1 of the Local Plan Submission Version(2017).

23. Prior to the to the first use of the Wellness centre the developer shall submit details to the Local Planning Authority, to be approved in writing, for all the cycle parking stores within the communal areas at the wellness centre; with the approved facilities being secure, convenient and covered. The approved details shall be implemented and retained as such at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

24. Prior to first use of the Wellness Centre, a community use agreement prepared in consultation with Sport England will be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement will be provided to the Local Planning Authority. The agreement shall apply to the sports hall, fitness suite, dance studio and supporting ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy RST1

Compliance

25. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

26. Plan numbers TBC

27. The proposed development hereby approved shall be carried out in accordance within the submitted Tree Survey and Impact Assessment Ref 1189-KC-XX-YTREE-TreeSurvey- and-ImpactAssessment-RevA and Tree Constraints Plan ref: 1189-KCXX- YTREE-TCP01RevB prepared by Keen Consultants unless otherwise agreed by the Local Planning Authority.

Reason: To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of the existing trees are safeguarded, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

28. No services shall be installed within the root protection area of any retained tree unless the Local Planning Authority gives its prior written approval.

Reason: To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of tree(s) are safeguarded in accordance with in accordance with policies LL10 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

29. The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (Flood Risk Assessment (November 2019)) and drainage strategy (Foul and Surface Water Drainage (November 2019)) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided in line with policy U2A of the Adopted Local Plan and DM16 of the Submission Version Local Plan.

30. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Schedule 2 Part [1], Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

Reason: In the interest of protecting neighbouring residential amenity, in accordance with the guidance contained within the National Planning Policy Framework, policy DBE 9 of the adopted Local Plan and Alterations, and Policy DM 9 of the Epping Forest District Council Local Plan Submission Version 2017.

31. The sound insulation and noise control measures shall be carried out strictly in accordance with those set out in the Noise Impact Assessment, prepared by MLM Group dated February 2020 and shall be maintained as such thereafter. The insulation and measures shall be implemented prior to the first occupation of the development hereby approved.

Reason: In the interest of protecting future residential amenity against undue noise and nuisance arising from non-residential uses in accordance with World Health Organisation Guidelines, paragraph 123 of the NPPF, policies DBE9 and RP5A of the Adopted Local Plan along with DM9 of DM21 of the Submission Version (2017)

32. All parking spaces within the podium parking areas shall be retained for parking and for the use of occupants on the site only.

Reason: To ensure that there is adequate parking provision on the site, in accordance with policy ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.