



Phase 2

Planning Statement

Construction of a new dwelling alongside associated works.

Land rear of 198 and 200 Forest Road, Buckhurst Hill, Essex, IG10 5AE

On Behalf of
Mr Christopher Wheeler

May 2019

Our Ref: C19063

Phase 2 PLANNING & DEVELOPMENT LIMITED

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1. Introduction

Background

1.1 This statement is prepared by Phase 2 Planning and Development Ltd on behalf of Mr Christopher Wheeler, hereafter referred to as “The Applicant”. This Planning Statement has been prepared to assist Epping Forest District Council in the consideration of a full planning application for the construction of a new detached dwelling house in respect the site known as land to the rear 198 & 200 Forest Edge, Buckhurst Hill, Essex, IG10 5AE hereafter referred to as the Application Site.

1.2 This application is made following the previous planning refusals by Epping Forest District Council with the overall design and layout influenced by the concerns raised within these decisions. The most recent decision made by Epping Forest District Council to refuse planning application ref: 18/3066/18 which was for the “Proposed new detached three-bedroom dwelling and associated amenities”. Following formal consultation on the application and the officer’s assessment of the proposal, the application was recommended for refusal by officers and the application was formally refused by the Council on the 28th February 2019. The refusal related to four reasons as highlighted below:

- *The proposed development, by reason of its overall height, length, its close proximity to the adjoining properties and the slope of the land would result in an intrusive and unneighbourly development which would cause a harmful impact to the amenities of these adjoining property occupier contrary to Policy DM9 of the Epping Forest Local Plan (1998) and Alterations (2006), policy DM9 of the Epping Forest Local Plan (Submission Version) 2017 and the aims and objectives of the National Planning Policy Framework.*
- *The proposed development fails to make adequate provision for parking by reason of its poor location for the convenience of the intended users, contrary to the aims and objectives of policies ST6 and DBE6 of the Epping Forest Local Plan (1998) and alterations (2006), policy T2 of the Epping Forest Local Plan (Submission Version) 2017 and the aims and objectives of the National Planning Policy Framework.*
- *The application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the proposed development should be permitted. As such, the proposed development is contrary to Policy CP1 (i), NC1 of the Epping Forest Local Plan (1998) and Alterations (2006), policies DM2 and DM22 of the Epping Forest Local Plan (Submission Version) 2017 and the requirements of the Habitats Regulations 2017.*

- *In the absence of a completed S106 planning obligation, the proposed development fails to mitigate against the adverse impact that it will have on Epping Forest Special Area for Conservation in terms of recreational pressure and air pollution. Failure to secure such mitigation is contrary to Policy CP1 and CP6 of the Epping Forest Local Plan (1998) and Alterations (2006), policies DM2 and DM22 of the Epping Forest Local Plan (Submission Version) 2017 and the requirements of the Habitats Regulations 2017.*

The Planning Application

1.3 The description of the proposed development is as follows:

“Construction of a new detached dwelling along with associated works”.

1.4 The architectural plans that comprise this application have been prepared by Atelier73 Architects and are as follows:

Drawing Title	Ref.
Proposed Plans	1802-B1.1

Table 1: List of submitted plans

1.5 In addition, the following supporting document has been prepared in support of this planning application which comprises the following:

1. This Planning Statement – Phase 2 Planning.
2. Design and Access Statement – Atelier73 Architects Ltd
3. Phase 1 Geo-Environmental Desk Study Report – Brown 2 Green Consultants

Purpose and Structure of this Report

1.6 The purpose of the Statement is to assess the proposal against the statutory development plan and other material considerations. This statement will draw together the key planning issues in the consideration of this proposal and outline how the scheme responds to the constraints of the site and the policy guidance. This statement draws from other documentation and information submitted with the planning application.

1.7 Section 2 describes the detail of the site and surroundings. Section 3 examines the planning history of relevance to this application. Section 4 will describe the proposals whilst section 5 reviews the relevant planning policy applicable to the Proposal. In section 6 we explore the planning issues of this application. Section 7 refers to imposed planning conditions whilst finally, a conclusion is provided within section 8.

2. The Site and Surroundings

- 2.1 The area of land subject to this planning application relates to the land rear of 198 & 200 Forest Edge, Buckhurst Hill, Essex, IG10 5AE. The extent of the application site is as shown by the land edge in red on the site plan submitted in support of this application and shown below in Figure 1.



Figure 1. Aerial view of application site outline in red (source Google Maps).

- 2.2 The application site is located on the northern side of Station Way approximately 40m east of Forest Edge within the built-up residential area of Buckhurst Hill. The site itself is mainly rectangular in shape with the front boundary following the curve of the highway. It has a frontage of approximately 22m by a maximum depth of 23m with an overall site area of 351 sq.m. The topography of the site consists of a slight slope that falls away from the front southern boundary towards the rear northern boundary.
- 2.3 The site is free of any established built form and is currently vacant consisting of overgrown shrubs and brambles. There is no established mature vegetation within the site although there are large mature trees located along the eastern side boundary outside of the application site. A medium size timber paling fence is located along all boundaries of the site.
- 2.4 The site is located within a well-established urban area that mainly consists of residential dwellings of a variety of forms, styles and sizes. The dwellings of 198 & 200 Forest Edge which abut the western boundary of the site are single storey detached bungalows that front onto Forest Edge. The rear garden area of 196 Forest Edge abuts the rear northern boundary of the

site. Located directly opposite the site on the corner of Forest Edge and Station Road is a further single storey detached bungalow. Further double-storey semi-detached and detached dwellings are located further beyond Forest Edge to the north and south. The London Underground Tube (central line) abuts the eastern side boundary of the application site.

- 2.5 The site is not located within a conservation area and a check of Historic England's website indicates that there are no listed buildings in close proximity of the site.
- 2.6 The application site is situated within an accessible and sustainable location, close to local amenities and facilities including local transport (bus and rail) links; schools; retail outlets; health and cultural facilities; sports and recreational fields; and employment opportunities to meet the needs of future occupiers. Roding Valley Underground Station is located 140m east of the application site that provides commuters direct travel into the city of London and other major hubs. Bus stops are located approximately 300m to the east of the site located along Buckhurst Way. A regular bus service provides further links to other local services, facilities and suburbs.

3. Relevant Planning History

3.1 A search of the Councils records indicates that there has been some planning history of relevance in relation to the application site.

Application site:

- EPF/1795/09 - Construction of 3-bedroom chalet bungalow with new vehicular access (Refused – 6th November 2009).
- EPF/2639/13 - Erection of new dwelling. (Refused – 10th March 2014) (Appeal Dismissed 9th July 2014).
- EPF/0730/15 - Erection of a 1-bedroom bungalow. (Refused - 19th May 2015)
- EPF/3066/18 - Proposed new detached three-bedroom dwelling and associated amenities (Refused - 28th February 2019)

Summary

3.2 The proposal has been amended as a result of the previous decisions issued and concerns raised by the Council and the Applicant submits that the proposals are now a better and more robust planning application because of this process. Specifically, the proposal has significantly reduced the size and scale of the proposal so that it is now a single storey bungalow rather than a two-storey house and is now set further away from adjoining properties to protect their amenity. The proposal is now compliant with policy standards and considered further in Section 6 of this Statement.

4. The Proposed Development

- 4.1 This planning application seeks full planning permission for the construction of a new dwelling alongside associated works at the site known as the land to the rear of 198 & 200 Forest Edge, Buckhurst Hill, Essex, IG10 5AE. Figure 2 below shows the general layout of the site.

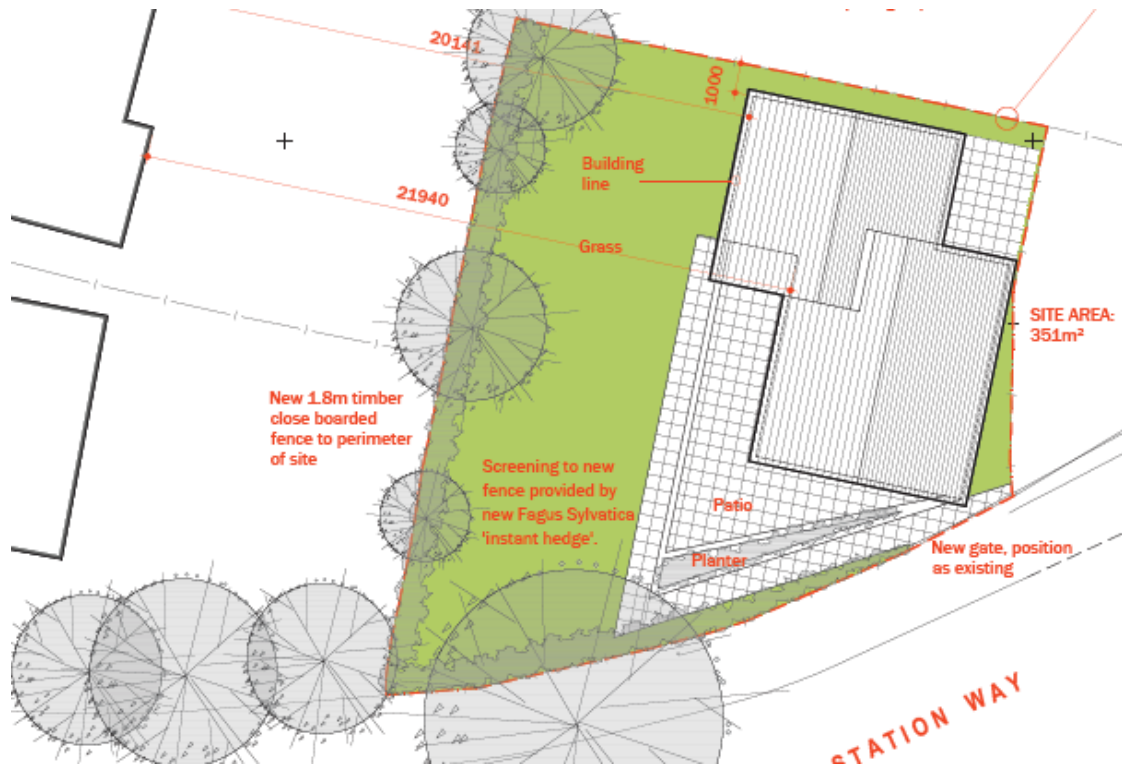


Figure 2: Proposed Layout of Development.

- 4.2 The design of the proposal has evolved through good design practice taking into account the design principles of the scheme and the Architect to make the best and most efficient use of the site whilst respecting the character of the surrounding locality and the amenities of surrounding dwellings.
- 4.3 The layout comprises of a single detached dwelling set within the northeastern corner of the site and set back from Station Way. The layout takes into consideration the constraints of the site, namely the neighbouring residential properties and buildings, the adjoining rail line, the sites topography as well as the providing the required internal and external amenity space standards to meet the needs of the future occupiers. The setback, orientation and separation distance will allow for the provision of windows and light wells to the existing dwelling and the proposed new dwelling without compromising privacy to adjoining occupiers.
- 4.4 Included within the submitted plans are details of the proposed dwelling's elevations. The new dwelling has been designed to be single storey in height with traditional pitch roofs. The proposal is consistent with the height and scale of the neighbouring buildings and other existing properties within the surrounding area. The scale of the building is appropriate in relation to the character and appearance of the surrounding area. The proposal makes the

most efficient use of the land maximising its potential which is high on the agenda when it comes to National Guidance and Policy.

- 4.5 The proposed development will follow modern architectural styles that have been sensitively integrated within the tradition-built context using proportions, materials and details similar to surrounding buildings.
- 4.6 External finishing materials would consist of external facing brickwork, painted render and angled ridge tiles. The appearance of the new dwelling would ensure a high-quality residential development compatible in terms of the local vernacular that would create visual interest and enhance the appearance of the street scene and the surrounding locality.
- 4.7 The general landscape layout and particularly that of on-the plot landscaping for the new dwelling and open space areas will be designed to enhance the overall character and appearance of the development and create a pleasant environment to live in. Open space areas, verges and garden beds will provide an attractive development. The proposed landscaping will help soften the built form of the development and reflect its wider setting.

5. Relevant Planning Policies

- 5.1 This section of the report sets out the planning policy framework most relevant to the determination of this planning application covering key policies at both the national and local levels.
- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF)

- 5.3 The revised National Planning Policy Framework (NPPF) (February 2019) which sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is of direct relevance to proposals for residential redevelopment. At the heart of the NPPF is "a presumption in favour of sustainable development". The revised Framework replaces the previous National Planning Policy Framework that was published in March 2012 and July 2019.
- 5.4 The revised National Planning Policy Framework post-dates the relevant Development Plan policies. The NPPF sets out the key principles and policies by which the Government expects the planning system to operate, and the document, therefore, represents an important material consideration.
- 5.5 Since the NPPF is the most recent adopted policy document, this Statement starts with a consideration of the relevant policies of the NPPF, before moving on to consider the various local policies.

Achieving sustainable development

- 5.6 Paragraphs 7 and 8 of the NPPF set out that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF details that there are three dimensions to sustainable development which give rise to the need for the planning system to perform a number of roles:

Economic – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

Social – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible

services and open spaces that reflect current and future needs and support communities health, social and cultural well-being; and

Environmental – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

- 5.7 The NPPF is clear that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. The NPPF adds that the planning system should play an active role in guiding development in sustainable solutions.

The presumption in favour of sustainable development

- 5.8 Paragraph 11 explains that at the heart of the NPPF is the "presumption in favour of sustainable development", described as a golden thread running through Plan-making and Decision-taking. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay, and where there are no relevant development plan policies or the policies which are most important for determining applications are out-of-date, granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

- 5.9 The last point ii. ("any adverse impacts ...") is commonly referred to as "the planning balance" which is undertaken within this statement in section 6.

- 5.10 In respect of decision taking, paragraph 11 states that planning permission should be granted where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date. In the context of this application, the adopted Local Plan is significantly out of date, particularly in respect of its provisions for housing development, which only related to the period up to 1998. The presumption in favour of granting permission for sustainable development within paragraph 11 specifically excludes development within certain designated areas, none of which apply in this instance.

- 5.11 Footnote 7 of Paragraph 11 of the NPPF states that for applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (or where the housing delivery test indicates that the delivery of housing is substantially below the housing requirement over the previous three years), policies relating to housing within the local plan are to be considered as being out-of-date.

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- 5.12 Epping Forest District Council does not have a five-year land supply. Accordingly, applications for housing development should, therefore, be considered in the context of the presumption in favour of sustainable development unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits when assessing against the policies in the NPPF taken as a whole.

Delivering a Sufficient Supply of Homes

- 5.13 A key objective of the NPPF is set out at paragraph 59 and remains the objective of “significantly boosting the supply of homes,”. This requires “a sufficient amount and variety of land to come forward”. In part, this objective is to be met by Council’s identifying a 5-year supply of deliverable sites, which is absent in the case of Epping Forest District Council.
- 5.14 Paragraph 67 requires the local planning authority to identify a five-year supply of specific and deliverable housing sites. Therefore, given the absence of a five-year land supply, the local planning authority is required to take pro-active steps if it is to deliver a sufficient supply of homes in accordance with the objective of “boosting” the supply.

Maintaining supply and delivery

- 5.15 Paragraph 73 once again reiterates the requirement of demonstrating a “minimum” of five years’ worth of housing, which is clearly absent in the case of the application circumstances.

Identifying land for homes

- 5.16 Paragraph 68 adds to the objective of paragraph 59 of the NPPF providing further direction concerning the “variety of land to come forward” and states that:

“Small and medium-sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlement for homes.

- 5.17 The application site is an example of a small/medium sized site proposed to be developed by a small regional housebuilder and will be built out quickly to contribute towards boosting the supply of housing and as such finds support for this objective in the NPPF.

Making effective use of land

5.18 Paragraph 117 of the Framework seeks that planning policies and decisions should promote an effective use of land in meeting the need for homes and other users while safeguarding and improving the environment.

5.19 Paragraph 118 continues by stating:

“d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs.....”

Achieving appropriate densities

5.20 Continuing from above, the NPPF states under paragraph 122 that planning decision should support development that makes efficient use of land.

5.21 Paragraph 123 of the NPPF stipulates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, ensuring that developments make the optimal use of the potential for each site.

Requiring good design

5.22 Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at paragraph 124 that: *‘The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make the development acceptable to communities’.*

5.23 Paragraph 128 of the NPPF adds that *‘Applicants should work closely with those affected by their proposals to evolve designs that take account of their views of the community’* adding that *‘Applications that can demonstrate early, proactive an effective engagement with the community should be looked on more favourably than those that cannot.’*

5.24 The Applicant's proposals positively achieve a high quality and inclusive design that will not have an adverse impact on the local character.

Plan making

5.25 Paragraph 20 of the NPPF stipulates that local planning authorities should have a clear understanding of housing needs in their areas including addressing *‘the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes’.*

Meeting the challenge of climate change, flooding and coastal change

- 5.26 Paragraph 155 of the NPPF notes inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Conserving and enhancing the natural environment

- 5.27 Paragraphs 170-183 of the NPPF are clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.

Decision Taking

- 5.28 Paragraph 38 is generally relevant to the determination of planning applications, stating that local planning authorities should approach decisions on a proposed development in a positive and creative way, work proactively with Applicants to secure developments that will improve the sustainable conditions of an area and decision makers should seek to approve applications for sustainable development where possible.

Combined Policies of Epping Forest District Local plan (1998) and Alterations (2006)

- 5.29 The statutory development plan for this area comprises the Epping Forest Adopted Combined Local Plan 1998 and Alterations 2006 Policy Document (2006). Epping Forest District Council is also in the final stages in the production of a new Emerging Local Plan covering the period up to 2033, setting out what development will take place and where. The emerging Local Plan has been submitted to the Planning Inspector for public examination in which the hearings commenced on the 12th February 2019. Paragraph 48 of the NPPF (July 2018) states that Local Planning Authorities may give weight to relevant policies within emerging plans according to the stage of preparation of the emerging plan. Once complete it will replace existing local planning policies.
- **Combined policies of EFDC Local Plan (1998) and Alterations (2006)** – provides the overarching policy direction for the Local Plan, and for the delivery of development, infrastructure, facilities and services in Epping Forest Council.
 - **Draft Emerging Local Plan** – The new Epping Forest Local Plan will cover the period up to 2033 and will guide decisions on whether or not planning permission should be granted for different types of development within the District. Once complete this plan will replace the Combined Policies of Epping Forest District Local plan (1998) and Alterations (2006)

5.30 Table 2 below provides a summary of the most relevant combined Local Plan Policies in relation to this proposal and how the proposed development, the subject of this planning application, complies with them.

Combined Policies	Relevant Provisions within Planning Application
<u>Policy CP1 – Achieving sustainable development objectives.</u>	This is a sustainability located site relative to the settlements of Buckhurst Hill and Woodford Green, the primary highway network, and other complementary local amenities and facilities.
<u>Policy CP2 – Protecting the quality of the rural and built environment.</u>	The application site is surrounded by existing residential properties where they form an integral and established part of the landscape. The proposal will meet policy expectations that enhance and positively contributes to the built environment whilst making the most efficient use of this site.
<u>Policy CP3 – New Development</u>	The Development can be accommodated within the existing infrastructure capacity, it is easily assessable, and its scale is consistent with the surrounding environment.
<u>Policy CP4 – Energy Conservation</u>	The development will meet National standards for residential development.
<u>Policy CP5 – Sustainable Building</u>	The development will meet National standards for residential development.
<u>Policy CP7 – Urban Form and Quality</u>	The proposal will meet policy expectations relating to a high-quality design that enhances and positively contributes to the public realm, whilst making the most efficient use of this site.
<u>Policy CP9 – Sustainable transport.</u>	Roding Valley Tube Station is located 140m to the east of the application site providing direct links to London. A regular bus service runs along Buckhurst Hill Way 330m from the site. It is therefore sustainably located and

	offers transport options for future occupiers by other means than the private vehicle.
<u>Policy DBE1 – Design of New Buildings</u>	The proposed development has been carefully considered and sensitively designed to minimise its impact on the locality and seeks to enhance the overall context through its design and layout. The proposal has been designed to reflect the general patterns and characteristics of the surrounding built forms within the settlement in relation to siting, scale, roof form and external finishing.
<u>Policy DBE2 – Effect on Neighbouring Amenities.</u>	The proposed development has been carefully designed to ensure that no significant harm would occur to the amenities enjoyed by adjoining property occupiers. The proposals are set further away from adjoining properties and are reduced in scale compared to previous applications. Further acceptance of this is considered in Section 6 of this Statement.
<u>Policy DBE6 – Car Parking in New Development</u>	The proposals represent a car-free development given the highly sustainable location close to local facilities, amenities and public transport links. Further acceptance of this is considered in Section 6 of this Statement.
<u>Policy DBE8 – Private Amenity Space</u>	Sufficient amenity space will be provided within the scheme in accordance with adopted standards to meet the recreational needs of future occupiers.
<u>Policy DBE9 – Loss of Amenity</u>	The proposed development would not result in excessive harm to the amenities of adjoining occupiers in relation to visual blight, loss of light or privacy, noise, smell or other disturbance.
<u>Policy H4A – Dwelling Mix</u>	The proposal includes the provision of a 1-bedroom dwelling. The proposals will provide help meet local needs that will ensure a mix of a well-balanced community.

<u>Policy H9 – Lifetime Homes</u>	The design of the dwelling would ensure that all future residents would have a good standing of living conditions because of a high-quality design and layout. The dwelling will be designed to have appropriate amenity provisions, meet internal space standards and have acceptable levels of daylight and privacy.
<u>Policy ST1 - Location of Development.</u>	The application site is in an accessible location adjacent to the main vehicular route between Buckhurst Hill and Woodford Green. This road network includes adequate public transport provision to serve the development. Given the site's central urban location, there are also significant opportunities to encourage walking and cycling throughout the local area.
<u>Policy ST4 – Road safety.</u>	No new vehicle crossover is proposed. The development would have no material impact on highway safety and would accord with the aims of Policy ST4.
<u>Policy ST6 – Vehicle Parking</u>	The proposals represent a car-free development given the highly sustainable location close to local facilities, amenities and public transport links. This is further explained in more detail in section 6 of the Statement.
<u>Policy LL10 – Provision of landscape retention.</u>	There are no TPO's within the site or on adjoining plots. This proposal respects enhances and protects the natural environment including the existing trees outside of the site along the eastern boundary in accordance with the aims of this policy.
<u>Policy NC4 – Protection of established habitat.</u>	The site has no statutory designation and no presence of any protected species have found on the site or the surrounding locality.

	A Phase 1 Ecology Survey is submitted in support of the application which concluded that there would be no harm to protected species or their habitation.
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Table 2: Assessment of application against most relevant Adopted Local Plan Policies.

5.31 For the above reasons, it is considered that the proposed development accords with the Adopted Combined Local Plan 1998 and Alterations 2006 in these respects.

Epping Forest Draft Local Plan

5.32 The NPPF also notes that weight may be given to emerging policies, depending upon the stage of plan preparation and degree of consistency with the NPPF. The Council has now produced a draft version of the Local Plan, and following the period when representations were invited on the soundness of the submission version of the Local Plan (regulation 19) the Local Plan was submitted to the Secretary of State for examination in public on the 21st September 2018. The hearings commenced on the 12th of February 2019.

5.33 Table 3 Below provides a summary of the most relevant emerging Local Plan policies in relation to this proposal and how the proposed development, the subject of this planning application, complies with them.

Emerging Local Plan Policy	Relevant Provisions within the Planning Application
<u>Policy SP 1 - Presumption in favour of Sustainable Development.</u>	The development is sited within a highly sustainable location close to local services and facilities and with very good public transport links.
<u>Policy SP 2 (Spatial development Strategy).</u>	The proposal will help meet the council's target of achieving the identified 11,400 new homes across the plan period.
<u>Policy H 1 - Housing Mix & Types</u>	The proposal consists of a single 1-bedroom. The Applicant submits that the proposals will provide an appropriate mix of units to meet local needs that will ensure a mix of a well-balanced community.
<u>Policy T 1 - Sustainable Transport Choices.</u>	The proposed development is well connected to existing and future sustainable travel modes

	including cycling routes and public transport services.
<u>Policy DM 1 – Habitat protection and improving biodiversity.</u>	The site is not located within a statutory designated area. No presence of protected species have been found within or surrounding the site.
<u>Policy DM 5 - Green Infrastructure: Design of Development.</u>	The development will meet National standards for residential development.
<u>Policy DM 9 – High Quality Design</u>	The proposal is of a high quality and inclusive design which seeks to enhance the character and appearance of built form in the locality. The proposal has also been designed to ensure it retains a level of local distinctiveness appropriate for this location/context. The innovative design proposed also helps raise the standard of design more generally in the local area.
<u>Policy DM 10 – Housing Design & Quality.</u>	The development would ensure that all future residents would have a good standing of living conditions as a result of this high-quality design and layout. The new dwelling would have appropriate amenity provisions, meet internal space standards and have acceptable levels of daylight and privacy.
<u>Policy DM 15 – Managing and reducing flood risk.</u>	The site is located within Flood Zone 1, which is based on the NPPF, is classified as having a ‘low’ probability of flooding and confirms that a residential scheme located in this area is deemed suitable for development. The proposal would not result in an increase in the risk of flooding of the site or within the locality.
<u>Policy DM 22 - Air Quality</u>	The development will meet National standards for residential development. This is further explained in section 6 of this statement.

Table 3: Assessment of application against most relevant emerging Local Plan Policies.

5.34 For the above reasons, it is considered that the proposed development accords with the policies contained within the emerging Local Plan.

Supplementary Planning Documents (SPDs)

5.35 The Council has also adopted the following relevant supplementary policy guidance:

- Parking Standards Design and Good Practice (2009); and
- Designing Out Crime (2002).

Council's Housing Land Supply

5.36 A central requirement of the NPPF is that it encourages Local Planning Authorities to “boost significantly the supply of housing” (paragraph 67). It goes on to state that local authorities should have a clear understanding of land available in their area through the preparation of a strategic housing land availability assessment and from this, they should identify a sufficient supply and mix of sites and that policies should identify a supply of specific and deliverable sites for years one to five of the plan period with an appropriate buffer as set out in paragraph 73 of the NPPF.

5.37 The Council's publication of the latest housing delivery test results indicates that Epping has achieved 49% over the last three years and therefore requires a 20% buffer onto of its 5-year land supply. This will create a further deficit against their 5-year land supply which is currently acknowledged by the Council as being 1.35 years.

5.38 Table 4 below demonstrates that over the first 7 years of the Plan period the Council has consistently fallen short of the obligation set out within the NPPF to meets its housing needs. In light of these historic delivery rates, the Inspector should have no confidence that Epping Forest District Council has the ability to ensure delivery of the minimum number of homes required to meet its assessment of objectively assessed need.

5.39 The consequence of these historic shortfalls requires a substantial uplift in housing delivery in excess of the projected annual requirements in order to "boost significantly" the supply of homes within the local housing market area, make a meaningful contribution towards addressing the national housing crisis (currently requiring a target of 300,000 homes to be delivered) and to ensure that the shortfall experienced over the early years of the Plan period is brought into account and is addressed in ensuring the minimum number of homes required to meet the Districts objectively assessed housing needs.

Year	Net Completions	Requirement	Difference	% of Target Delivered
2011/12	288	518	-230	56%
2012/13	89	518	-429	17%
2013/14	299	518	-219	58%
2014/15	230	518	-288	44%
2015/16	267	518	-251	52%
2016/17	157	518	-361	30%
2017/18	526	518	+8	102%
Total	1,330	3,108	-1,770	51%

Table 4: Housing Delivery for the Plan period 2011-2018

- 5.40 The Council will not be in a position to encourage delivery of new allocations in its submission Local Plan until 2020 at the earliest (and because it has made no new allocations for housing since 1998), and because there will still be a time lag before new allocations in 2020 can be converted in to planning permissions and then housing on the ground, Epping Forest is moving in to a period of chronic housing shortage, in an area where housing needs is at its greatest.
- 5.41 Consequently, the Council’s housing policies have limited weight in decision making and the Council is required to determine proposals for housing in accordance with paragraph 11 of the NPPF which applies a presumption in favour of sustainable development. The exercise of paragraph 11 requires that permission should be granted unless the benefits of the proposal would be significantly and demonstrably outweighed by any adverse impacts.

6. Consideration of the Main Planning Issues

6.1 This section considers the following key planning issues, which are considered to be pertinent to this proposal:

- (a) Land Use/Principle of Development
- (b) Design
- (c) Other Considerations
 - Housing
 - Highways and Transportation
 - Flood Risk
 - Landscape
 - Ecology
 - Land Contamination
 - Air Quality
 - Habitat Regulations
- (d) Planning Balance

(a) Land Use/Principle of Development;

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such a Government Policy or emerging Local Policy. Therefore, the adopted local development plan represents the starting point in consideration of this matter.

6.3 As outlined earlier within this Planning Statement the application site is situated in a highly sustainable central urban and predominately residential location close to the centre of both Buckhurst Hill and Woodford Green. Taking this together with the presumption in favour of sustainable development as set out at paragraph 11 of the NPPF, the status and out-of-date nature of Epping Forest District Adopted Local Plan and their own acknowledged chronic lack of a 5-year supply of deliverable housing sites means that there is a strong principle supporting the effective residential redevelopment of the application site in these policy-related regards.

6.4 The site has no land use allocation in the Local Plan but falls within the defined settlement boundary limits of Buckhurst Hill and is currently vacant of any built form.

6.5 The site itself is located within a predominately residential location and is not within the defined shopping or employment area. Therefore, the proposed residential use would be a compatible use in this location outside the main town centre but within a sustainable location.

6.6 The scheme would help to fulfil the three principles of sustainable development; economic, social and environment. As such the application proposals would comply with the positive

stance towards sustainable development, in this respect as set out in the NPPF and the presumption in favour of approval.

- 6.7 Policy SP 2 of the emerging Local Plan sets out the number of homes to be provided throughout the District over the emerging Local Plan period. This identifies that the provision of approximately 90 dwellings for Buckhurst is required to support the appropriate level of growth across the District.
- 6.8 The development of the application site provides additional housing to the District's housing stock, which actively contributes towards meeting both District's objectively assessed housing needs and specific housing targets for Buckhurst Hill in accordance with emerging Local Policy SP 2 (spatial strategy). The application site is within a highly accessible/sustainable location and its development for housing complies with SP1 (sustainable development). Focusing development within the existing settlement boundary of Buckhurst Hill will ensure growth occurs in the most sustainable locations within the District and thereby minimises the potential harm to the wider landscape around Buckhurst Hill, minimises the use of Green Belt land and other settlements within the District.
- 6.9 Paragraph 117 of the NPPF seeks that planning policies and decisions should promote an efficient use of land in meeting the need for homes and other users while safeguarding and improving the environment. Paragraph 118 continues by stating: "d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs.
- 6.10 Paragraph 123 of the NPPF, planning decisions should avoid low-density developments where there is an identifiable shortage of land for meeting housing needs and ensuring that developments make the optimal use of the potential for each site. The proposals will optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development that would be sympathetic to the local character, including the surrounding built environment.
- 6.11 It is important to add that there is also a strong requirement for new housing in the District with such a site the priority in this delivery. In the case of Epping Forest District Council, this is exacerbated further given the chronic undersupply of housing locally and the amount of Green Belt coverage throughout the District as a whole.
- 6.12 The Applicant submits that in reference to the previous refused planning application ref: 18/3066/18, the Council had no objection in relation to the principle of the proposed development and regarded the site to be within a sustainable location.
- 6.13 Accordingly, it is submitted that the proposal satisfies Development Plan policy and is supported by the NPPF.

(b) Design

- 6.14 In terms of design policy, good design is central to the objectives of National, Regional and Local planning policy. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for wider area development schemes. These criteria are reflected in Policies CP7 (Urban Form and Quality) and DBE1 (Design of New Buildings) of the Adopted Local Plan and policies DM9 (High-Quality Design) and DM10 (Housing Design & Quality) of the emerging Local Plan.
- 6.15 The design and layout evolution as discussed in detail within the Applicant's supporting Design and Access Statement but in summary, the current proposal seeks to provide a single double fronted 1 storey residential dwelling consisting of 1 bedroom.
- 6.16 Furthermore, the proposed building has been designed to reduce as much of the perceived bulk and massing as possible through careful design solutions by cutting into and utilising the slope of the land, incorporating a mixed palate of external materials and providing a double frontage to break up the elevation and reduce the emphasis of height whilst providing articulation and interests to the street scene.
- 6.17 The overall size, scale and particular the height of the proposals have been reduced taking regard to the Council's previous concerns. Importantly, the proposals have also been set off the boundaries shared with adjoining properties and set back from the highways which now allows for enough open space around the building to provide visual separation between built forms and to comply with the characteristics of the locality and street scene in accordance with Local Policy DBE1.
- 6.18 The new building adds interest and responds well to a prominent and currently dated site that would significantly improve the character and appearance of the site and surrounding locality.
- 6.19 The layout of the development provides an efficient layout and ensures its arrangement enhances the character of the surrounding area and establishes a clear, legible and permeable layout. The proposed scale of the development is consistent with the height and scale of the neighbouring buildings and other existing properties within the surrounding area.
- 6.20 The proposals would ensure a high-quality residential development compatible in terms of the local vernacular that would create visual interest and enhance the appearance of the street scene and the surrounding locality.

(c) Compliance with Other Planning Policy requirements:

Housing

Density

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- 6.21 Local policy H3A of the Adopted Local Plan stipulates that proposed new developments must be of a density appropriate to the locality, have regard to the residential amenity of adjoining dwellings, wider long distant views and achieve a good quality design and layout.
- 6.22 Policy SP3 of the submission draft Local Plan brings local policy in line with the NPPF and encourages efficient use of land stating as follows:
- “1. To ensure the best and most efficient use of land as a guide the Council will normally expect:*
- (i) a greater density of development at places with good public transport accessibility;*
- (ii) densities above 50 dwellings per hectare in towns and large village centres, and along main transport routes and/or close to transport nodes;”*
- 6.23 The proposed scheme is for a single dwelling unit and has a density of 28.5 dwellings per hectare, which will optimise the use of an underutilised site.
- 6.24 The site enjoys good access to services, facilities and amenities with links to public transport, walking and cycling networks. Furthermore, the proposed density of the site in this location would not be out of place with the surrounding character due to its design concept and that the site has enough capacity to accommodate the development.
- 6.25 It is recognised that the density calculation is just the starting point and are not to be determinative on their own. The proposal meets other planning standards as set out in this statement. Paragraph 123 of the NPPF, planning decisions should avoid low-density developments where there is an identifiable shortage of land for meeting housing needs and ensuring that developments make the optimal use of the potential for each site. The proposal will optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development that would be sympathetic to the local character, including the surrounding built environment.
- 6.26 It is therefore submitted that the proposal represents an acceptable density for development and it complies with the Local Plan policy and the NPPF.

Internal Space Standards

- 6.27 Policy H9 of the Epping Forest Adopted Local Plan seeks to ensure that the design and quality of housing developments are of the highest standard externally and internally. The policy requires compliance with the minimum internal space standards as set out within the Technical Housing Standards.
- 6.28 The Applicant’s proposals significantly exceed the internal space standards set out within the Technical Housing Standards and therefore satisfy this policy. The development would ensure that all future residents would have a good standard of living conditions as a result of a high-quality design and layout. All units will be designed to have appropriate amenity provisions, meet internal space standards and have acceptable levels of daylight and privacy as shown by

the floor and elevation plans. They would ensure that the home will function, be adaptable and cater to changing lifestyles that meet the needs of families, children and older people.

Housing Unit Mix

- 6.29 Local Plan policy H4A and policy H1 of the emerging Local Plan requires that new housing developments seek proposals to incorporate a mix of dwelling sizes and tenures that meet local needs that contribute to a sustainable community.
- 6.30 The proposal includes a single 1-bedroom residential unit. The accommodation mix reflects the needs and aspirations of the local community and compliments the character of the local area. This helps create a more balanced neighbourhood and contributes to maintaining and enhancing a variety of unit sizes and types of residential accommodation which helps provide for a balanced community.

Affordable Housing

- 6.31 Both Adopted Local Plan Policy H7A and policy H2 of the emerging Local Plan seeks the provision of affordable housing and stipulates that on development sites which provide 11 or more homes, the Council will require 40% of those homes to be for affordable housing.
- 6.32 The proposals include a single residential unit which is under the above requirements. As such, the proposals do not include the provision of any on-site affordable housing or off-site affordable contribution.

Amenity

- 6.33 Local Policies DBE2 and DBE9 of the Adopted Local Plan stipulates that development proposals should have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance. The policy also seeks adequate amenity space provision. We consider the proposal under the following headings:

Amenity Space provision

- 6.34 Adopted Local Policy DBE8 identifies minimum amenity space standards. The supporting text of this policy refer to rear garden areas of new dwellings to have a minimum area of 20 square metres for each habitable room - this being defined as a living room, bedroom or kitchen/dining room where the floor area exceeds 13 square metres - so as to provide a reasonable area of outside amenity space and ensure the development is not out of scale or character with its surroundings. The Applicant would like to highlight that the current Adopted Local Policy DM8 is soon to be outdated and replaced by Emerging Draft Policy DM 10.
- 6.35 Emerging Draft Policy DM 10 (paragraph B) provides a more flexible approach rather than the soon to be outdated ridged approach of Local Policy DBE8 and states:

“Ground floor family housing must provide access to private garden/amenity space, and family housing on upper floors should have access to a balcony and/or terrace, subject to acceptable amenity, privacy and design considerations, or to shared communal amenity space and children’s play space”.

6.36 Importantly to note, Policy DM 10 does not provide minimal or maximum areas for what constitutes as being a reasonable area to meet the recreation needs of future occupiers.

6.37 Notwithstanding the above, the Applicant submits that sufficient amenity space has been provided within the proposals to meet the recreational needs of future occupiers in accordance with local design guidance. All amenity space would be useable, provide safe and convenient access for all, and will be orientated to provide good levels of daylight throughout the day.

6.38 Furthermore, no concerns or objections were raised by the Council during the assessment and decision of refused planning application Ref: EPF/18/3066/18

Impact on neighbouring amenity

6.39 The Council within their assessments of the previously refused schemes perceived the proposals due to their inappropriate size, scale and siting to amount to an overbearing and unneighbourly development that would be detrimental to the amenities of adjoining properties occupiers.

6.40 The Applicant has taken into consideration the previous concerns raised by the Council and has taken great care behind the design rationale to ensure that the amenities of adjoining property occupiers are not significantly or excessively affected as a result of the proposals.

6.41 Furthermore, the proposed building has been designed to reduce as much of the perceived bulk and massing as possible through careful design solutions to reduce the perceived concerns raised by the Council under the previously refused application in relation to the visual impact upon adjoining dwellings of 198 & 200 Forest Edge. Overall the size and scale of the building has been reduced and it has been set further away from the rear gardens and facades of the adjoining dwellings from that of the previously refused scheme. Table 5 Below shows a direct comparison between the current proposal and the previously refused schemes.

Application	Setback from 198 Forest Edge	Ridge Height	Eaves Height
Proposed Application	20.14m	4.46m	2.2m
2018 Application	15.63m	6m	1.5m rising to 2.5m
2015 Application	19.4m	4.8m	2.2m

Table 5: Comparison of siting and scale between proposed and previous applications.

- 6.42 The Applicant has clearly demonstrated that not only has the setback of the new dwelling been increased from the previously refused schemes which increases the separation distance between built forms, but the size and scale have also been reduced as a result reducing the overall height of the building. Furthermore, the dwelling has also been cut into the slope of the land thereby further reducing the perceived height and visual impact upon the amenities of the neighbour. Most notably, and as shown on the submitted supporting plans, the overall ridge height of the new dwelling would be 1.9m lower than the ridge height of the adjoining properties of 198 and 200 Forest Edge.
- 6.43 The proposal is single storey and has applied careful design principles as highlighted above. Furthermore, the proposals would include new boundary treatments in the form of a 1.8m high timber paling fence alongside substantial mature planting positioned along the boundaries of the site. The Applicant submits that the proposals would ensure and result in a high-quality scheme that would not appear as an overbearing or visually intrusive development.
- 6.44 The Applicant submits that there would be no direct overlooking into the private areas, both internal and external of the adjoining properties given the single storey nature of the proposals. Thereby adequate privacy is maintained and preserved to the occupiers of the adjoining properties.
- 6.45 Due to the appropriate design solution, the orientation of the site, and the relative separation distance of the proposal in relation to adjoining properties, it is regarded that the proposal would not cause any significant adverse loss of light to the adjoining properties habitable rooms or private space areas.
- 6.46 The Applicant submits that there would not be a material increase in general noise and disturbance to surrounding residents from that of existing conditions. Generally, some noise and disturbance are expected within built-up residential areas however the proposals would not result in significant noise or disturbance to prevent the application from being supported.
- 6.47 The applicant submits that the proposal will have a negligible impact on the amenity of adjacent properties.

Highways and Transportation

- 6.48 Both Adopted Local Plan Policy CP9 and policy T1 of the emerging Local Plan states that the Council will actively encourage sustainable travel. Major developments should be developed and contribute to, a well-connected network of streets that optimises permeability and legibility and provide appropriate parking provisions.
- 6.49 We consider the proposal under the following headings:

Accessibility/Sustainability

- 6.50 The site benefits from a good level of accessibility, due to its access to a wide range of destinations by public transport (bus, rail, cycle and walking) conforming to local and national planning policies.
- 6.51 The Application Site is within walking distance to Roding Valley Underground Station that is located on the Central Line and provides direct access into the city of London and the wider surrounding area. There are also bus stops located within 300m of the site along Buckhurst Hill Way with a regular bus service providing direct access into the town centres of Buckhurst Hill, Woodford Green and other nearby larger towns. In terms of pedestrian and cycle access, future occupiers can walk and cycle to local amenities and facilities. There are public footpaths on both sides of the highways that are well lit and provide safe, convenient and accessible routes for all users. In all, there are other means of sustainable modes of travel rather than the use of a motor vehicle.

Access and Highway Impact

- 6.52 Policy ST4 seeks that new development proposals are carefully considered in respect of their highway impact and safety.
- 6.53 Under planning applications EPF/1795/09 and EPF/0730/15, a new vehicle crossover to be constructed along Station Way formed part of the proposals to allow for vehicles to access the site and to provide off-street parking for the future occupiers. However, it was perceived by the Council that a new vehicle crossover within this location on a bend would amount to limited visibility and would lead to detrimental harm upon highway safety.
- 6.54 The Applicant has acknowledged the concerns raised by the Council and as such this proposal does not provide any vehicle access into the site. As such the proposals would not amount to harm upon highway safety.

Refuse

- 6.55 Separate stores for refuse and recycling containers have been provided for the future occupiers of the development. The layout has been designed to ensure secure storage areas are easily accessible for all occupants of the new residential dwelling and for refuse collection.

Car-Parking

- 6.56 Local Policy DBE6 and S6 stipulates that the car parking for new development will be considered against the standards set out in the Adopted Parking Standards. This stipulates that the maximum standards for a 1-bedroom unit, one space is required and for a 2-bedroom or more unit, two spaces are required.
- 6.57 This scheme is a car-free development that proposes no off-street parking provision. The Applicant acknowledges that whilst the Essex County Council Vehicle Parking Standards would normally expect one off-street parking spaces per 1-bedroom unit, it does allow for a reduction in numbers in sustainable urban locations where there are alternative means of transport. The Applicant has demonstrated throughout this Statement that the application site is situated within an accessible and sustainable location, close to local amenities and facilities including local transport (cycle, walking bus and rail) links and therefore it offers transport options for future occupiers by other means than a private vehicle.
- 6.58 The proposals to include a car-free scheme also accords with Draft Policy T1 (Sustainable Transport) where it encourages making the better use of land through the widening use of 'unallocated' car parking within developments and to promote transport choice to provide a genuine alternative to the car and facilitate a modal shift to public transport services and supporting walking and cycling.
- 6.59 The NPPF also recognises that development should make the most effective use of underutilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively such as car parks.
- 6.60 The car-free scheme would therefore accord with the aims of the Framework as it would allow for further additional housing on the site which would meet an additional objective of the Framework in that the development would help to "significantly boosting the supply of homes," within the District that is currently unable to demonstrate a deliverable 5-year housing land supply.
- 6.61 Furthermore, the car-free scheme would coincide with the Frameworks environmental objectives in that it would reduce greenhouse gas emissions through the planning of green infrastructure. The proposal would provide a healthy choice for future occupiers through walking and cycling to local amenities and services which would help them lead to healthier lives.
- 6.62 Accordingly, it is submitted that the proposals to include a car free development accords with both national and local policies with regard to this site.

Cycle-Parking

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- 6.63 Cycle parking will be provided in accordance with the Council's adopted Standards. A secure and sheltered cycle store has been thoughtfully integrated within the proposal for residential use. A total of 1 secure and sheltered cycle parking spaces will be provided.

Landscape

- 6.64 There is no established vegetation located within the site with the majority of the site covered by overgrown grasses, bushes and shrubs. The proposals include a high-quality scheme of hard and soft landscaping within the site. This comprises of private and defensible spaces and hard landscaped linked areas.
- 6.65 The general landscape layout and particularly the open space areas will be designed to enhance the overall character and appearance of the development and create a pleasant environment to live in. Open space areas, verges and garden beds along the frontage of the site will provide an attractive development. The proposed landscaping will help soften the built form of the development and reflect its wider setting.

Ecology

- 6.66 The site does not host any significant trees and does not present areas of amenity space which might have some ecological potential. Development of the site is not considered likely to have a significant adverse impact on local ecology. The application site itself is not subject of any statutory nature conservation designation and it will not result in harm to protected species.

Flood Risk

- 6.67 The NPPF states that inappropriate development in areas of high-risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 6.68 The development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing. The site is under 1 hectare in size and in addition, there is no requirement to provide a Flood Risk Assessment.
- 6.69 In summary, the proposal and its occupants will not be at an increased risk of flooding of the site or flooding elsewhere and that a sustainable drainage scheme can be implemented.

Land Contamination

- 6.70 Policy RP4 of the Adopted Local Plan and policy DM 21 of the emerging Local Plan requires development to be designed to a high standard and avoid unacceptable impacts on amenity. This includes undertaking appropriate remediation of contaminated land.

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- 6.71 The Applicant has provided a Phase I Preliminary Investigation Report prepared by Brown 2 Green Geotechnical and Geo-environmental Consultants. The report stipulates that a site walk-over did identify potential sources of contamination and that the site was used as a compound likely for contraction work on the adjacent railway embankment from 2014 onwards. As such it is recommended that a Phase 2 Intrusive Investigation should be completed in accordance with current best practice. The Applicant is willing to provide such an assessment prior to works commencing on site by agreeing to appropriately worded planning conditions being imposed on the final decision notice.

Air Quality

- 6.72 A review of the potential impact of the proposed scheme on air quality confirmed that the site is not within an existing Air Quality Management Area (AQMA). The proposal is a car-free scheme and as such would not result in any vehicle movements to and from the site. there would be no increase in intensification from that of existing conditions. The proposed development will not thereby materially impact on queuing traffic or congestion. It is therefore concluded that the residual effects of the proposed development in relation to air quality are negligible and the proposed development complies with the national and local policy for air quality.

Habitat Regulations

- 6.73 Reviewing the Council's reasons for refusal no. 3 and 4 of the previous decision 18/3066/18, the Council was concerned that insufficient information was provided by the Applicant in relation to habitat regulations and specifically in relation respect to recreational impact and air quality.
- 6.74 The Council have publicly acknowledged that the Conservation of Habitats and Species Regulations 2017 has been enacted following the decision made within the High Court in the case of Wealden District Council vs Secretary of State for Communities and Local Government and Lewes District Council and South Downs National Park and Natural England (2017). As a result of this, the Council considers that this guidance is a material consideration when assessing applications for new housing.
- 6.75 The Council's Cabinet has recently resolved to seek a contribution of £352 for each new dwelling house within 3km of the SAC boundary (which includes the application site) with respect to recreational impact but the Council is still awaiting instruction from Natural England and the Conservators of Epping Forest as to what measures an Applicant is required to take in order to address air quality impact issues. At the time of submission of this application, there is still no mitigation strategy in place for Applicants to overcome any perceived air quality issues.

6.76 The Applicant is willing to agree to the proposed mitigation strategy to pay a financial contribution of £352.00 per residential unit with respect to recreational impact and agree to the measures that are required to address the air quality impact issues once they have been established via an appropriate legal agreement. It is thereby regarded that this application submission can be determined and that it would not be premature for the Council to grant consent without delay. The Applicant is willing to enter into a legal agreement to provide the necessary mitigation measures with respect to recreational and air quality impact.

Summary

6.77 The documentation supporting the planning application as summarised above clearly shows that the development can adequately be accommodated within the existing infrastructure and constraints of the site. Further, it demonstrates that the site is free from environmental constraints. The development of the site for a residential scheme complies with national and local policies.

(d) The Planning Balance

6.78 As set out above within this planning statement the presumption in favour of a grant of planning permission applies. Therefore, relevant provisions of the presumption in favour of sustainable development under paragraph 11 of the NPPF are engaged. Paragraph 11 of the NPPF requires the decision maker to grant planning permission, unless, having undertaken a balancing exercise there are (a) adverse impacts and (b) such impacts would 'significantly and demonstrably' outweigh the benefits of the proposal.

6.79 The effect of applying the presumption is that the planning balance shifts in favour of the grant of consent.

The conclusion in relation to "benefits"

6.80 Starting with the balance "tilted" in favour of the proposals, we summarise the benefits of the proposal having regard to this statement which is in summary:

- The Council cannot demonstrate a five-year land supply to meet its requirement of meeting its OAN. The proposal, therefore, contributes meaningfully towards the delivery of much needed new housing to help address the five-year housing shortfall assisting the Council to meet its OAN;
- The proposal will deliver a new residential home in a District with a housing shortfall;
- The development of the application site provides additional housing to the District's housing stock, which actively contributes towards meeting both District's objectively assessed housing needs and specific housing targets;
- The proposal will optimise and make the most efficient use of this underused plot of land;
- The application site is located within the defined development boundary limits as set out within the Local Plan where the principle of development is appropriate. This will intern

protect and preserve the intrinsic beauty and open character of the green belt and wider countryside from future development;

- The town of Buckhurst Hill is seen as a major hub for the District in which strategic growth should be aimed at. The proposal would help promote the viability and vitality of the town;
- The proposal represents a sustainable new residential development in terms of its nature and its location which follows the direction of travel of national and local policies;
- The proposal provides net gains in the 'The Three Dimensions of Sustainable Development' as set out within Paragraph 8 of the NPPF.
- The proposed development secures the site's optimum viable use and in-turn provides a compatible and sustainable form of development ensuring that there is no detriment of the occupiers of nearby residential plots and the local environment;

6.81 Paragraph 8 of the NPPF identifies 3 dimensions to sustainability: economic, social and environmental, which give rise to the need for the planning system to perform a number of roles. We consider the proposal under the 3 dimensions of sustainability as follows:

Economic Role

6.82 The NPPF requires that development should contribute to building a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

6.83 The application site is located within a well-established built-up residential area within Buckhurst Hill. The proposal represents a small size residential scheme comprising of a single dwelling house that would function as part of Buckhurst Hill and the wider area where most facilities, services and employment will be found.

6.84 The wider area of Buckhurst Hill has a suitable number of local amenities and services to facilitate the needs of its residents that includes public houses, restaurants, shops, cultural and health facilities, community buildings and employment opportunities just to name a few.

6.85 As such it is regarded that the application site would not be significantly divorced or isolated and that it would be capable of accommodating the development proposed in that it could be planned in a comprehensive and inclusive manner in relation to the wider area of Buckhurst Hill.

6.86 Jobs would be created by the proposed development through new construction which is a contribution to the economic dimension of sustainable development. Government Guidance in Laying the Foundations and the Honeybourne¹ decision both acknowledge the direct and indirect employment flowing from housing construction.

¹ Appeal by Lioncourt Homes (Honeybourne) LLP, against the decision of Wychavon District Council, application Ref W/11/02531/OU.
Appeal Ref: APP/H1840/A/12/2171339

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- 6.87 Benefits would also include an enhanced labour force created by future occupiers of the new residential unit, increase in local household spending and demand for services, which will improve the vitality and viability of local services within the town.
- 6.88 As a result, the development provides a positive economic approach that satisfies the economic dimension of sustainability in the NPPF.

Social Role

- 6.89 The NPPF identifies this as supplying required housing and creating a high quality-built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 6.90 The application site is located within an accessible and sustainable location within Buckhurst Hill and so increasing the population close by to services and community facilities would be consistent with the social dimension of sustainable development.
- 6.91 The application site is located on the edge of the defined shopping areas of Buckhurst Hill, Woodford Green and other major centres where most of the local amenities and facilities such as retail, restaurants, commercial and businesses and other cultural and social services required to meet the day to day needs for future occupiers. Also, within proximity of the site are several health facilities, sports and recreational grounds and public transport links.
- 6.92 Future occupiers could rely on the Buckhurst Hill, Woodford Green and the wider surrounds to provide most of their day to day needs such as health, social and cultural well-being as well as shopping ensuring and promoting the town as an appropriate mixed and well-balanced community.
- 6.93 The proposed development has been designed to ensure access gives priority to sustainable transport options such as public transport links, walking and cycling which thereby reduces the need and reliance on private cars.
- 6.94 Roding Valley Underground Station is located 140m east of the application site that provides commuters direct travel into the city of London and other major hubs. Bus stops are located approximately 300m to the east of the site located along Buckhurst Way. A regular bus service provides further links to other local services, facilities and suburbs.
- 6.95 The proposal would provide significant housing benefits, in terms of the provision of a high-quality new home and would thereby 'boost significantly the supply of housing' and encourage economic growth. This proposal for a new residential dwelling would help make a contribution to this aim.
- 6.96 As a result, the development provides a positive approach that satisfies the social dimension of sustainability in the NPPF.

Environmental Role

- 6.97 The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste.
- 6.98 In environmental terms, the application site is located outside an area of special protection within the Local Plan. The site is not subject of any statutory nature conservation designation or is located within close proximity to SSSI, important woodlands or country wildlife sites and as such there will be no environmental impacts upon the landscape and biodiversity.
- 6.99 The application site is a small size plot of undeveloped land located within a well-established built-up urban area consisting of many different forms of development that range in a mixture of size and scale. In environmental terms, the scheme would involve the development of this underutilised land.
- 6.100 The Applicant's proposal will include a high-quality design that reflects the surrounding urban environment.
- 6.101 Accordingly, there would be no significant environmental downside to the proposal.
- 6.102 This statement has demonstrated that there are considerable "benefits" to the proposal that most significantly include providing additional housing in what has been identified as a sustainable form of development. Through Section 6 of this report, the Applicant has concluded that the proposal is acceptable in all regards and complies with the relevant policies and accordingly has not identified any significant "adverse impacts".

The conclusion with respect to "harm"

- 6.103 No significant harm has been identified. Therefore, any harm is certainly not of a degree of significance so as to 'significantly and demonstrably' outweigh the clear benefits in relation to sustainable development, which the proposal would provide. It, therefore, follows that in accordance with paragraph 11 of the NPPF, the decision maker should grant planning permission.

7. Planning Conditions

- 7.1 Strictly in line with the full provisions of the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 which came into force on the 1st October 2018 the Applicants require early notice of any pre-commencement conditions likely to be proposed by the LPA as part of any subsequent recommendation of approval on this planning application in order to respond in writing accordingly.
- 7.2 As officers will note, a pre-commencement condition is defined in section 100ZA(8) of the Town and Country Planning Act (1990) as a condition imposed on a grant of planning permission (other than a grant of outline planning permission within the meaning of section 92 of the 1990 Act) which must be complied with (a) before any building or operation comprised in the development is begun, or (b) where the development consists of a material change of use of any buildings or other land, before the change of use is begun.
- 7.3 The Government continues to make clear through Planning Practice Guidance (PPG) (Paragraph: 007 Reference ID: 21a-007-20180615) that *“Care should be taken when considering using conditions that prevent any development authorised by the planning permission from the beginning until the condition has been complied with. This includes conditions stating that ‘no development shall take place until...’ or ‘prior to any works starting on site...’”*
- 7.4 This section of PPG adds that *“Such conditions should only be used where the local planning authority is satisfied that the requirements of the condition (including the timing of compliance) are so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission”*.
- 7.5 It is important to add that a pre-commencement condition that does not meet the legal and policy tests may be found to be unlawful by the courts and therefore cannot be enforced by the local planning authority if it is breached.

8. Conclusion

- 8.1 This planning application seeks full planning permission for the construction of a single storey detached dwelling alongside associated works.
- 8.2 The site falls within the urban area, is underutilised undeveloped land and is in a highly sustainable location that will make the optimum use of this urban land that is within walking distance to local facilities and services and public transport links.
- 8.3 The scheme would help to fulfil the three principles of sustainable development; economic, social and environment. As such the proposals would comply with the positive stance towards sustainable development, in this respect as set out in the NPPF and the presumption in favour of approval.
- 8.4 The Applicant submits that the proposals represent a high-quality design that appears in keeping with the scale and massing of the immediately surrounding context, whilst providing an opportunity to enhance the street frontage, aesthetic qualities of the site and the overall character of the area.
- 8.5 The Applicant submits that the proposals would not lead to detrimental harm to the amenities of adjoining occupiers and has overcome the Council's perceived concerns. The Applicant has applied careful consideration in terms of the proposal's design in respect to neighbouring amenities by reducing the overall built form of the building and increasing the set back away from neighbouring properties from that of previously refused schemes. The Applicant submits that the proposal will have a negligible impact on the amenity of adjacent properties.
- 8.6 The proposal has demonstrated compliance with the Council's housing standards, amenity standards, sustainable and air quality standards and contamination. The Applicant has concluded that the proposal is acceptable in all regards and complies with the relevant policies of the development or has demonstrated appropriate mitigation to address any shortfall and bring the proposal back into line with standards.
- 8.7 The Applicant is willing to agree with the Council the appropriate mechanism and to secure the necessary mitigation strategies with respect to both recreational and air quality to offset any perceived or potential harm upon the Epping Forest Special Area of Conservation (SAC) as this was effectively the only reason why the previous application was dismissed by the Inspector.
- 8.8 The Applicant has undertaken the "Planning Balance" as set out in the NPPF and concluded that no significant harm has been identified whereas the benefits of the proposal are considerable. Therefore, any harm is certainly not of a degree of significance so as to 'significantly and demonstrably' outweigh the clear benefits in relation to sustainable

development, which the proposal would provide. It, therefore, follows that in accordance with paragraph 11 of the NPPF, the decision maker should grant planning permission.

- 8.9 For the reasons set out above, the application proposals do not conflict with the statutory development plan and the proposals are also acceptable taking into account all other material considerations, most notably the NPPF. The Council is respectfully requested to allow this application and grant planning permission for the development as currently proposed.





Phase 2

PLANNING &
DEVELOPMENT
LIMITED