

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION
COMMITTEE 24th January 2020**

Item 5.1 (DR/02/20) Land between Sheering Road and the M11 Motorway

Page 120

CONSULTATIONS

County Council's Landscape, Historic Buildings, Archaeology, Ecology and Tree Consultants

Further comments received from the Council's ecologist (summarised) as below:

Additional protected species reports and information/commentary has been submitted, following previous comments made. However, concerns still exist over the lack of bat survey results and evidence that mitigation proposed will be effective in practice.

With regard to this, and in-particular the bat survey, the submitted report explains that bat emergence surveys have not been completed and some trees which have high roost potential have not had an adequate number of surveys to comply with relevant national guidance. Previous bat roost surveys undertaken (in 2014) are considered out of date and it is considered should have been updated to provide sufficient certainty, albeit acknowledged that this is an interim phase to an approved development.

The Riparian Mammal Report and Bat Report were written after submission of the planning application, and the updated Environment Statement. Accordingly, it is considered that details and mitigation measures, in for example the Construction Environmental Management Plan, do not take on board findings and updated documents, plans and mitigation would therefore need to be secured be condition. In respect of this, it is also considered the reports demonstrate a need for an additional otter pass (ledge) on Sheering Road Bridge.

Should the County Planning Authority decide to progress with determination, on the basis of the current information, conditions are recommended in respect of: the submission of an updated Ecological Mitigation Plan inclusive of detailed designs of the culvert/underpass and otter pass under Sheering Road Bridge; submission of an updated Construction Environmental Management Plan; submission of a Landscape and Ecological Management Plan; and submission of a detailed lighting design/strategy.

Officer Comment: In response to the above, the applicant has subsequently sought to provide the following clarification (summarised):

It is accepting that trees T58 and T122 were only surveyed twice rather than three times. However, this is not considered a significant limitation as no evidence of bat roosting was recorded in the two surveys undertaken. Results of the climbing, emergence, re-entry and endoscope surveys is provided in Section 5 of the Bat

Report. This confirms that 'no evidence of bats or bat roosts was identified within any of the trees subject to further bat survey work. As such, an EPS mitigation licence is not required for works to proceed on the Scheme.'

With regard to Sheering Road Bridge, no works are proposed to this as part of the approved or interim scheme. Mitigation measures during construction and/or longer term, within the red line of the application, would nevertheless be considered and proposed as part of the finalised CEMP and LEMP to be submitted in due course.

Further information was also provided on lighting within the multi species underpass and additional details of where bat hop-overs had successfully been installed at a similar sized/type of project.

Pages 136-146

RECOMMENDED

Condition 2

Delete 'Figure 1-1 Alternative Phase 2A Design Site Location Plan', drawing no. B3553F05-3000-DR-0700 (Rev P0), dated 20/08/2019; 'Figure 2-1 Alternative Phase 2A Design Overall Site Layout Plan Sheet 3 of 4', drawing no. B3553F05-3000-DR-0703 (Rev P0), dated 12/02/2019; and 'Figure 2-1 Alternative Phase 2A Design Overall Site Layout Plan Sheet 4 of 4', drawing no. B3553F05-3000-DR-0704 (Rev P0), dated 12/02/2019' from list of approved drawings.

Condition 3

Reword second sentence, as follows: 'The scheme shall be based on the drawing titled 'Alternative Phase 2A Design Landscape Mitigation Figure 7-3a', drawing no. B3553F05-3000-DR-0758 (Rev P01), dated Aug 19, unless otherwise agreed in writing by the County Planning Authority, and shall include details of areas to be planted with species, sizes, spacing, protection; proposed seed mix for grassed areas; and programme of implementation.'

Condition 4

Reword a) for ecology, as follows: 'Full detailed designs of all ecological mitigation measures, including those referred in the 'Biodiversity Statement and Mitigation Plan', document no, B3553F05-3000-REP-0055 and shown on the drawing titled 'Figure 8-2 Alternative Phase 2A Design Ecological Mitigation Plan, drawing no. B3553F05-3000-DR-0772 (Rev P0), dated 17/01/2019, unless otherwise agreed in writing by the County Planning Authority'

Condition 5

Reword condition and reason, as follows: 'No development shall take place until a detailed Noise Mitigation Plan has been submitted to the County Planning Authority for review and approval in writing. The mitigation plan shall confirm specification of the link road surfacing and any other measures proposed to limit noise impact within

the application area. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of residential amenity and to mitigate environmental noise impact in accordance with policies RP5A (Adverse Environmental Impacts), DBE2 (Effect on Neighbouring Properties) and DBE9 (Loss of Amenity) of the Combined Policies of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008).'

Condition 6

Reword second sentence, as follows: 'The scheme shall include details of all dust suppression measures, the methods to monitor emissions of dust arising from the development during the construction phase and shall include the mitigation measures outlined in Appendix 5.5 of the Environment Statement submitted pursuant to application ref: CC/EPF/08/17, unless otherwise agreed in writing by the County Planning Authority.'

Condition 7

Reword second sentence, as follows: 'That submitted would be expected to follow the principles suggested within the drawings titled 'Road Lighting Layout Plan Sheet 5 of 7', drawing no. B3553F05-1300-DR-0005 (Rev P01), dated 14/02/18; and 'Road Lighting Key and Notes', drawing no. B3553F05-1300-DR-0015 (Rev P01), dated 14/02/18, unless otherwise agreed in writing by the County Planning Authority.'

Condition 9

Reword condition, as follows: 'No development (including demolition, ground works, vegetation clearance) shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to the County Planning Authority for review and approval in writing. The CEMP shall follow the principles suggested within the Outline Environmental Management Plan, document ref: B3553-3000-REP-0056 (Rev P00.3), dated January 2017 and the Construction Phase Traffic & Transport Impact Assessment, document ref: B3553F05-0000-REP-0081 (Rev 1), dated January 2017 and with regard to construction cover similar areas/topics to that considered within the Construction Methodology Report, document ref: B3553F05-0000-REP-0076 (Rev P0), dated November 2016, albeit with reference to the development hereby permitted and construction details shown on drawings titled 'Figure 2-4 Alternative Phase 2A Design Construction Environmental Plan Sheet 4 of 7', drawing no. B3553F05-3000-DR-0707 (Rev P0), dated 18/02/2019; 'Figure 2-4 Alternative Phase 2A Design Construction Environmental Plan Sheet 5 of 7', drawing no. B3553F05-3000-DR-0708 (Rev P0), dated 28/08/2019; and 'Figure 2-4 Alternative Phase 2A Design Construction Environmental Plan Sheet 6 of 7', drawing no. B3553F05-3000-DR-0709 (Rev P0), dated 28/08/2019, unless otherwise agreed in writing by the County Planning Authority.'

In terms of environmental management, and specifically biodiversity, the plan shall include the following:

- a) Risk assessment of potentially damaging construction activities;

- b) Identification of biodiversity protection zones;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and the
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be implemented and adhered to throughout the construction period of the development hereby approved.'

Condition 24

Reword condition, as follows: 'Unless any alternative planning permission is granted, prior to the commencement of works pursuant to phase 2B (the northern arm link road) as permitted by planning application ref: CC/EPF/08/17 (or any variation to this permission), a scheme shall be submitted to the County Planning Authority for review and approval in writing detailing all works necessary to revert the interim phase 2A link, hereby permitted, to the original phase 2A link design as approved as part of planning application ref: CC/EPF/08/17. Details provided shall include a schedule of works, a construction method statement and measures proposed in terms of reinstatement/restoration of the areas affected. The works shall subsequently be undertaken in accordance with the approved details.'