



***District Development Control Committee
Wednesday, 8th April, 2015***

You are invited to attend the next meeting of **District Development Control Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 8th April, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
The Directorate of Governance
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, Mrs H Brady, R Butler, K Chana, J Hart, R Jennings, Mrs S Jones, H Kauffman, J Knapman, Ms Y Knight, J Lea, C C Pond and J M Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

16:00

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you are consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Director of Governance) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

6. MINUTES (Pages 7 - 18)

To confirm the minutes of the last meeting of the Committee.

7. EPF/2670/14 - FORMER CARPENTERS ARMS, HIGH ROAD, THORNWOOD (Pages 19 - 38)

(Director of Governance) To consider the attached report for the proposed demolition of a restaurant and the erection of 3 Town houses and 2 detached houses. This application is a re-submission following the withdrawal of application EPF/1810/14 (DEV-012-2014/15).

8. EPF/0293/015 - 11 STONEY BRIDGE DRIVE, WALTHAM ABBEY (Pages 39 - 44)

(Director of Governance) To consider the attached report for the erection of a single storey rear extension (DEV-013-2014/15).

9. EPF/2936/14 - LAND ADJ. LONGACRE COTTAGE, SCHOOL ROAD, STANFORD RIVERS (Pages 45 - 54)

(Director of Governance) To consider the attached report for outline planning permission for a new 4 bedroom dwelling with some matters reserved (DEV-014-2014/15).

10. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent

items is required.

11. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers

Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control Committee **Date:** 11 February 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.15 pm

Members Present: B Sandler (Chairman), J Hart (Vice-Chairman), A Boyce, Mrs H Brady, R Butler, Mrs S Jones, H Kauffman, J Lea, C C Pond, J M Whitehouse, A Mitchell MBE and G Shiell

Other Councillors: -

Apologies: B Rolfe, R Jennings, J Knapman and Ms Y Knight

Officers Present: J Shingler (Principal Planning Officer), G J Woodhall (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

34. WEBCASTING INTRODUCTION

The Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

35. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning meetings.

36. ELECTION OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered his apologies, the Chairman requested nominations for a Vice-Chairman for the duration of the meeting.

Resolved:

(1) That Councillor J Hart be appointed Vice-Chairman of the Committee for the duration of the meeting.

37. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted the following substitutions for this meeting:

- (i) Councillor A Mitchell for Councillor Y Knight; and
- (ii) Councillor G Shiell for Councillor B Rolfe.

38. MINUTES OF THE LAST MEETING**Resolved:**

(1) That the minutes of the meeting held on 3 December 2014, previously circulated, be taken as read and signed by the Chairman as a correct record, subject to the following amendment:

- (a) amending the decision for minute 33 (Tottenham Hotspur Training Ground, Luxborough Lane, Chigwell) to state that the financial contribution of £50,000 for a mini-bus service across Chigwell should be made to Chigwell Parish Council.

39. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors A Boyce, H Brady, J Hart, S Jones, C C Pond and B Sandler declared a personal interest in the following item of the agenda by virtue of the applicant being a fellow Member of the Council. The Councillors had determined that their interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2853/14 Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey.

(b) Pursuant to the Council's Code of Member Conduct, Councillor H Brady declared a further personal interest in the following item of the agenda by virtue of having worked for one day a week at the Riding School when it was under different ownership 20 years ago. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2853/14 Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey.

40. CHIMES GARDEN CENTRE, OLD NAZEING ROAD, NAZEING - PLANNING APPLICATION EPF/0206/14

The Principal Planning Officer presented a report on the proposed demolition of an existing garden centre/commercial buildings and the erection of 43 dwellings with associated parking and landscaping, at Chimes Garden Centre in Old Nazeing Road, Nazeing.

The Principal Planning Officer advised the Committee that the application site was approximately 2.5 hectares in area, and was located to the south of the residential area comprising Riverside Avenue and Great Meadow. The northern boundary of the site was flanked by gardens of residential properties; the western boundary was formed by the River Lee Navigation; and there was open land to the south and east. The site was wholly within the Metropolitan Green Belt and the Lea Valley Regional Park, but was not a conservation area.

The Principal Planning Officer stated that the proposal was to remove all the existing buildings and hard standing from the site, and to redevelop the site with 43 two-storey and two-and-a-half-storey detached and semi-detached properties in a simple layout around a central estate road accessed via Old Nazeing Road. The plans indicated the building of 2 3-bed, 22 4-bed, 9 5-bed, 9 6-bed and 1 8-bed properties on the site.

The Principal Planning Officer reported that the main issue to consider was that the site lay wholly within the Metropolitan Green Belt. As the site had been previously

developed, the main consideration was whether the development would have a greater impact upon the openness of the Green Belt. There were also housing issues to consider, including the lack of a Five-Year Supply of Housing document as part of the Council's Local Plan, the lack of affordable housing proposed for the site and the purchase of the former Total Garage site in Nazeing from the Parish Council to provide low cost housing at this site as planning permission had already been granted for 6 properties to be built there. Other issues included potential flood risk as most of the site was within a Flood Zone 2 and the remainder of the site was within a Flood Zone 3; contamination, as more than half of the site was a landfill site; layout and design; the impact on neighbouring amenity; the recording and investigation of any archaeological deposits; the results of the ecological studies performed at the site; highways and parking issues, including the proposed access to the site and parking within the site; a contribution towards the costs of increased education provision in the area; the impact on the Lee Valley Regional Park; and the sustainability of development at the proposed site.

The Principal Planning Officer presented the conclusions reached by Planning Officers. It was acknowledged that the application had some merit, including the provision of quality, attractive housing close to Nazeing and the resolution of the ongoing enforcement issues concerning the site, and the provision of a further six affordable dwellings on the former Total Garage site in the centre of Nazeing. However, the development would have a significant adverse impact on the openness and character of the Green Belt, and was therefore considered inappropriate development. It failed to provide any affordable housing on site, without any good reason being put forward, and the financial contribution proposed to provide affordable housing elsewhere in the District was not considered appropriate given the lack of available sites throughout the District. Additionally, the proposal included the construction of dwellings within a Flood Zone 3, contrary to professional advice, and the application was therefore recommended for refusal by the Director of Governance.

The Principal Planning Officer drew the Committee's attention to the addendum report from the Director of Communities concerning the proposed Section 106 Agreement for the development. Following lengthy and detailed negotiations, agreement had been reached whereby the applicant would provide a contribution of £1million for the provision of affordable housing elsewhere in the District, and prior to commencing any development at the Chimes Garden Centre site the applicant would purchase the former Total Garage site in Nazeing from the Parish Council, which already had planning permission for 6 2-bed homes, and enter into a signed Development Agreement with one of the Council's Preferred Housing Association Partners to provide the six dwellings as affordable social rented units available for applicants from the Council's Housing Register. With this combined proposal, the objection on the basis of inadequate affordable housing provision on site would have been overcome. However, since these negotiations, the applicant had suggested an alternative of building the six approved houses on the former Total Garage site and offering them to local people to purchase at a discount, instead of providing social rented accommodation (affordable housing).

The Committee was reminded that this planning application had been considered by Area Plans Sub-Committee West on 28 January 2015 and had been referred to the Committee with a recommendation to grant planning permission with 26 conditions attached. The Sub-Committee had felt that the proposed development would result in significant improvements to the character and visual amenity of the area and would help to meet the current housing need on previously developed land in a relatively sustainable location. It was considered that the benefits in removing a problematic and unsightly site would outweigh the harm to the openness of Green Belt resulting

from the development. However, the Director of Governance had maintained that the recommendation of Officers should be that planning permission should be refused, for the reasons outlined above.

The Committee noted the summary of representations, which included 172 signed copies of a standard letter supporting the application, 7 further letters of support, 18 letters opposing the application, and 2 letters requesting further conditions be applied if planning permission was granted.

The Principal Planning Officer informed the Committee that the applicant had offered to provide the six dwellings to be built on the former Total Garage site in Nazeing at 15% below market value to residents of the District, rather than to provide truly affordable social rented accommodation through a Housing Association. An additional condition, 27, should be added - if the application was approved - to remove Permitted Development Rights for extensions, outbuildings and hard standings for all 43 proposed properties on the site. Finally, if the Committee granted planning consent for the application, then it would have to be referred to the National Planning Casework Unit as it contravened the Council's Green Belt policies and the National Planning Policy Framework.

The Committee heard from an objector, the Parish Council and the applicant before proceeding to debate the application.

A local Member for Loughton Broadway commented that some of the land adjacent to the River Lee had not been previously developed and the site was susceptible to surface water flooding. Although the site was within walking distance of Broxbourne Railway Station, the Member had serious doubts about allowing development in the Green Belt on non-developed land that was situated within a Flood Risk Zone 3. The local Member for Morton and Fyfield added that he would be happy to support development on a brownfield site, but not development on a former landfill site.

The Principal Planning Officer explained that Flood Risk Zone 2 indicated a 1-in-a-1000 chance of flooding occurring; Flood Risk Zone 3 indicated a 1-in-a-100 chance of flooding occurring. It was also highlighted that dwellings reserved for local residents would encompass any individual currently living within the District. There had been a chicken farm on the eastern side of the site but this had been cleared by the Lee Valley Regional Park Authority five years ago.

A local Member for Epping Hemnall felt that the application offered no justification for development on Green Belt land, and no justification for not providing any affordable housing as part of the development. It was acknowledged that some flooding issues could be mitigated, but there had been no explanation for the link between this application and the former Total Garage site in the centre of Nazeing. A local Member for Loughton St Mary's was concerned that the site had been allowed to deteriorate to provide a reason for its development, and felt that development should be restricted to the northern part of the site. The local Member for Passingford agreed as it would be foolish to build homes on land with a high risk of flooding, and also highlighted the biodiversity issues within the report as well as the objection from the Lee Valley Regional Park Authority. A local Member for Waltham Abbey Honey Lane also concurred with the view that development should be restricted to the northern part of the site.

However, a local Member for Waltham Abbey North East stated that the District desperately needed new houses to be built and there were very few areas in Nazeing suitable for development. The flooding and contamination issues could all be mitigated. The Chairman also offered his support for the application on this basis and

that it would be development on a predominantly brownfield site. The Chairman also highlighted the £1million contribution towards building affordable housing within the District from the applicant, the high community gain for Nazeing from the development of the former Total Garage site, and the educational gains as well from the Section 106 Agreement. Members were requested to consider the wider benefits for the District from the scheme.

The local Member for Epping Hemnall stated that these arguments were equally applicable to many other sites across the District and that these were not special circumstances to justify development in the Green Belt. It was also highlighted that the contribution to educational provision from the Section 106 Agreement was to compensate for the additional strain that would be placed upon local schools from the development. The Member proposed refusal of the application for the four reasons set out in the original Officer report. This proposal was seconded by the local Member for Loughton Broadway, who also supported the proposed way forward to redevelop the northern sector of the site only.

Resolved:

(1) That planning application EPF/0206/14 at Chimes Garden Centre in Old Nazeing Road, Nazeing be refused permission for the following reasons:

1. The proposed development included "more vulnerable" development located within Flood Zone 3. The development did not provide wider sustainability benefits that outweighed the flood risk and did not therefore pass the Exceptions Test. As such the proposal was contrary to paragraph 102 in the National Planning Policy Framework (NPPF).
2. The development, due to the amount of built form that would intrude into the southern half of the site which was currently free of buildings, would have a significantly greater impact on the openness of the Green Belt than the existing development and as such was inappropriate and by definition harmful. The development was therefore contrary to policy GB2A of the adopted Local Plan and Alterations and to the NPPF.
3. The proposal failed to provide on site affordable housing despite such provision being financially viable and the site being suitable for such development, as such the development was contrary to policies H5A, H6A, and H7A of the adopted Local Plan and Alterations, and paragraph 50 of the NPPF.
4. By reason of the site's location beyond the statutory walking distance to a secondary school, the proposal would generate an additional cost to the Local Education Authority, Essex County Council, for transporting children to secondary school. However, the proposal did not include any mechanism to meet those additional costs. Since the proposal failed to properly address this matter, it was not a sustainable form of development and was consequently contrary to policies CP9(iii) and I1A of the Adopted Local Plan and Alterations, which were consistent with the National Planning Policy Framework.

(2) That the applicant be informed of the following as a proposed way forward for the site:

1. That the redevelopment of the northern part of the site could be acceptable, as this would avoid the Flood Risk Zone 3, most of the former landfill site and would likely to be acceptable in Green Belt terms; and
2. That any proposed scheme should include an appropriate element of affordable housing. Although it was acknowledged that this location was not acceptable for high density housing, a suitable development which respected the character of the area could be achieved.

41. PINE LODGE RIDING CENTRE, LIPPITTS HILL, WALTHAM ABBEY - PLANNING APPLICATION EPF/2853/14

The Principal Planning Officer presented a report on the planning application, EPF/2853/14, at Pine Lodge Riding Centre, Lippitts Hill in Waltham Abbey. The application was before the Committee as the applicant was a serving District Councillor for Waltham Abbey High Beech.

The Principal Planning Officer stated that the application site was located on the south-west side of Lippitts Hill, and was currently a riding centre with stabling and an arena. The residential properties of Springfield Farmhouse (itself a Grade II Listed Building) were to the east of the site, as was Pine Lodge itself which was in the ownership of the applicant. There were other equestrian facilities to the south-west and north of the site, which had a long history of stable and equestrian use. The application proposed the removal of all the existing buildings and the construction of five detached houses with associated garages, arranged around a central courtyard. Access would be via an existing access track to the east of the main access to the Farmhouse and Pine Lodge.

The Principal Planning Officer highlighted the main issues to be considered for the application. These were whether the development was appropriate in the Green Belt, the design of the development, the impact on the setting of the Listed Building (Springfield Farmhouse) and on residential amenity, parking and highway safety, sustainability and land drainage matters. After considering all these issues, Officers had concluded that the proposed development was in accordance with the adopted policies of the Local Plan and Alterations, and the National Planning Policy Framework, and was therefore recommended for approval.

The Committee noted the summary of representations, which included two letters of support, three letters opposing the development, and two letters offering no objection. In addition, representations had been received from the County Conservation Officer, who felt that the proposed development would not have a detrimental impact upon the Listed Building nearby, and the County Highways Officer, who indicated the proposed development would generate significantly less vehicle movements and would reduce the movement of larger vehicles to the site for the benefit of all highway users. The Principal Planning Officer informed the Committee of the receipt of a late representation, which supported the proposed development but suggested the wording of condition 11 be revised to strengthen the future use of the remaining stables and outbuildings for non-commercial purposes.

The Committee heard from an objector, who was the former owner of the site and had sold it to the applicant, and the applicant's agent before proceeding to debate the application.

A local Member for Loughton Broadway was pleased with the design of the proposed dwellings, although there were one or two street scene issues and concerns expressed about the remaining farm buildings being converted to homes in the

future. The Member suggested that the removal of permitted development rights would be appropriate for the proposed dwellings at this site, and that an archaeological survey of the site should be undertaken prior to the commencement of any construction works.

The Principal Planning Officer was not certain if an archaeological survey would be necessary on the site, but would seek advice from Essex County Council Heritage Officers.

A local Member for Waltham Abbey North East would support the application, despite the proximity of the helicopter airfield, as the five houses would be very welcome for local families seeking accommodation. The houses would not be seen from the road, as they were well set back and would be screened by the trees. This area had already been developed, with stables and hard standing having been built.

In response to questions from the Members present, the Principal Planning Officer stated that there were no grounds for negotiating a Section 106 Agreement in this instance. Additionally, as the site was previously developed land and the proposed development did not impact upon the openness of the Green Belt, there was no need for special circumstances to justify the development.

The local Member for Passingford argued passionately that this location was the perfect position for riding horses through the Forest, and that it was a great shame for the Riding Lodge to be replaced with houses. The Member felt that the nearby historic Farmhouse should not be set next to five houses, and was also not enamoured with the design of the three larger houses. The proposed access lane was a fairly recent addition to the landscape. Other Members highlighted that the current use of the site for stables and equestrian activities was entirely appropriate for the Green Belt, and that the site was very close to the Forest itself. Although it was acknowledged that the nearby helicopter base impinged upon the tranquillity of the location, but this would be a consideration for the potential buyers of the new houses – caveat emptor!

The Chairman opined that the proposal was an attractive development which would improve the area. The proposed houses were well screened from the road and that he would support the proposal.

Resolved:

(1) That planning application EPF/2853/14 at Pine Lodge Riding Centre in Lippitts Hill, Waltham Abbey be granted permission subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1435/1, 2, 3, 4, 5A, 6, 7, 8, 9, 10, 11, 12 and 3382/1
3. No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall

only be made available for inspection by the Local Planning Authority at the planning application site itself.

4. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

5. 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 prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

6. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.

7. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- 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;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- measures to control the emission of dust and dirt during construction, including wheel washing; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

9. No bonfires shall be permitted on site throughout the demolition and construction phase of the development.

10. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, to be approved by Essex County Council.

11. On implementation of the residential development hereby approved, none of the stables, outbuildings, open manege or any land within the area edged blue on the drawing numbered 3382/1 hereby approved, owned by the applicant or any successor in title, shall at any time be used for any commercial equestrian use, including DIY livery or any other business use whatsoever. Any stabling of horses in the remaining stables or buildings within the land so identified on drawing number 3382/1, shall be for the private and personal use of the owner of the said land.

12. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

13. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

14. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

15. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

16. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any

subsequent version or additional regulatory guidance. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

17. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

18. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives, any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

19. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, 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.

20. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report

must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

21. 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 Classes A, B and E of Part 1 of schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

(2) That advice be sought from Essex County Council Heritage Officers as to whether an archaeological survey was necessary at the site prior to the commencement of any development.

42. ANY OTHER BUSINESS

The Committee noted that there was no other urgent business for consideration.

CHAIRMAN

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Report to District Development Control Committee



**Epping Forest
District Council**

Report Reference: DEV-012-2014/15

Date of meeting: 8 April 2015

Subject: EPF/2670/14 – Former Carpenters Arms, High Road, Thornwood – Demolition of Restaurant and erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14

Responsible Officer: Graham Courtney (01992 564228)

Democratic Services: Gary Woodhall (01992 564249)

Recommendation:

(1) That planning permission be refused for the following reasons:

(a) The two proposed detached dwellings are located within the Green Belt and would constitute inappropriate development within the Green Belt, harmful to the openness and character of this area. No very special circumstances exist to outweigh this harm and therefore the development fails to comply with Government guidance in the form of the National Planning Policy Framework and policies GB2A and GB7A of the adopted Local Plan and Alterations; and

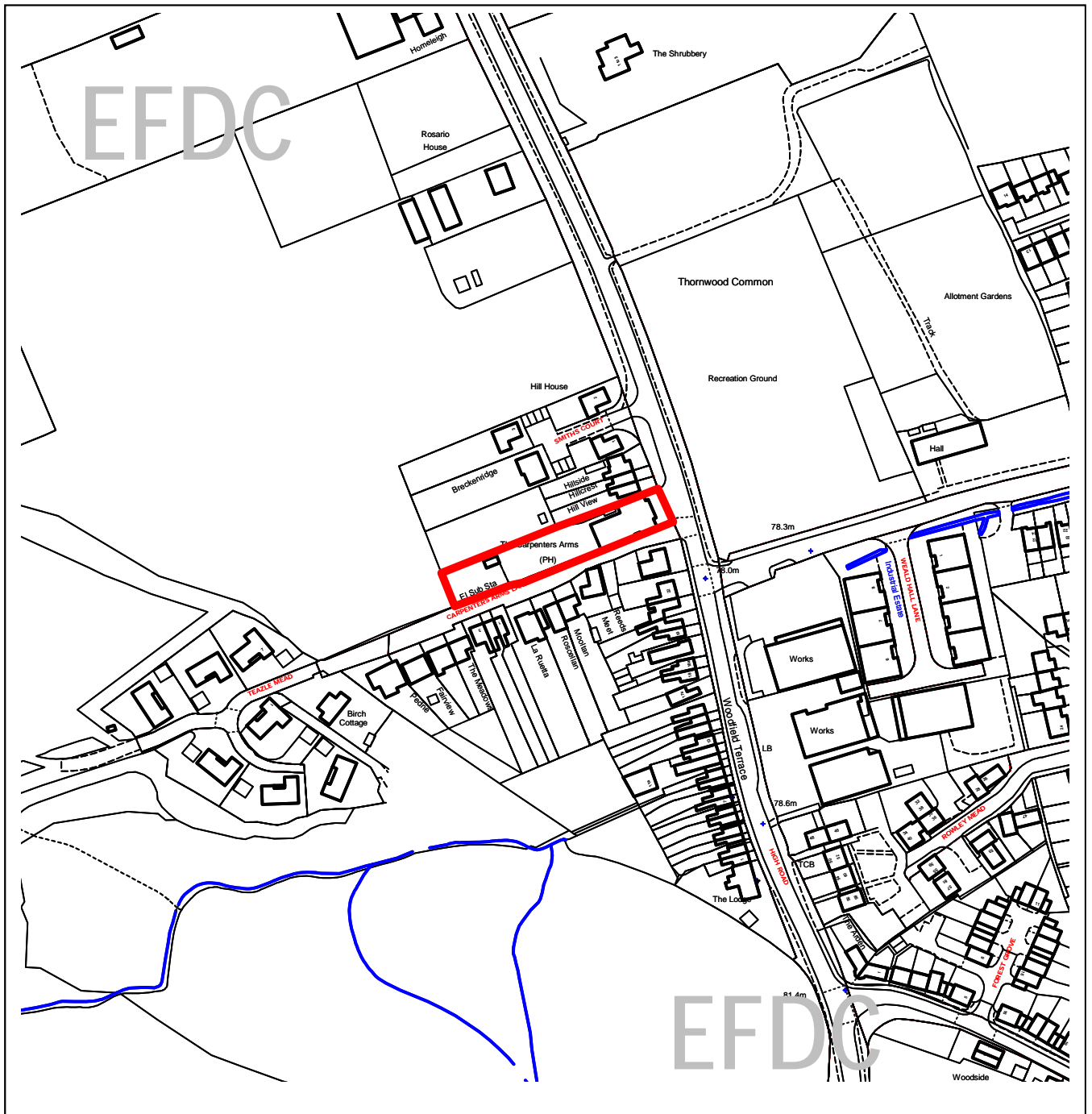
(b) The proposed development, due to the number of dwellings and overall scale of works, would constitute overdevelopment of the site to the detriment of the character and appearance of the area, contrary to Government guidance in the form of the National Planning Policy Framework and policies CP1, CP2, CP3 and DBE1 of the adopted Local Plan and Alterations.

Report:

1. This application was considered by the Area Plans Sub Committee East on 18 February 2015, following a previous deferral from Area Plans Sub Committee East on 21 January 2015 in order for further information to be obtained and so that a Members site visit could take place. After considerable discussion a majority of Members voted to refuse the application on the grounds that the development of the two detached houses in the Green Belt would be inappropriate development for which no very special circumstances have been demonstrated to outweigh the harm. The development would, in addition, have a significantly adverse impact on the openness of the Green Belt and finally that the proposals amount to overdevelopment of the site. After the vote 4 Members of the Committee stood in order to require that no action be taken on the matter until it has been considered by the District Development Committee (Operational Standing Order Item 13 (2) of the Constitution).

2. The application was put forward to Area Plans Sub Committee East with a recommendation for approval. The original report is attached in full below for consideration.

3. During the period between the application being deferred in January and it being reconsidered in February, and since the deferral in February, letters have been received from MP Eleanor Laing informing us of letters received from her constituents and enquiring about progress of the application. The officer's recommendation to the committee remains unchanged (as set out below in the appended officer's report to Area Plans Sub Committee East), which concluded that harm to the openness of the Green Belt would be limited and would be suitably outweighed by other matters, including the benefits of redeveloping this brownfield site and the general economic and visual benefits the development would bring.



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Application Number:	EPF/2670/14
Site Name:	Carpenters Arms, High Road Thornwood, North Weald, CM16 6LS
Scale of Plot:	1/2500

APPLICATION No:	EPF/2670/14
SITE ADDRESS:	Former Carpenters Arms High Road Thornwood North Weald Essex CM16 6LS
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Des Rees
DESCRIPTION OF PROPOSAL:	Demolition of Restaurant. Erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570910

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: DR/CA/01, CA SCH 4 06a, L 6033, CA 11, /P/01, /P1/02, /P1/03, /P1/04, /P2/02, /P2/03, /P2/04, /P3/02, /P3/03, /P3/04
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 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 extensions generally permitted by virtue of Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as

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

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 The parking area shown on plan no's: CA SCH 4 06a, CA SCH 4 7, and CA SCH 4 8 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 10 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline

remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, 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.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 15 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 16 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 17 No development shall take place 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.
- 18 Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, for the provision of a footway with a maximum width of 2 metres across the site frontage from the Carpenters Arms Lane junction to the existing footway to the north of the site. This shall include some radius kerbing, dropped kerbs for pedestrians and the provision of dropped kerbs for the 3 vehicular accesses to the development. The approved scheme of works shall be implemented prior to first occupation.
- 19 Prior to the first occupation of the development a 1.5m x 1.5m pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.
- 20 Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 21 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 22 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning

Services – Delegation of Council functions, Schedule 1, Appendix A.(d)), since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).), and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)).

ADDITIONAL INFORMATION:

The application was deferred from the Area Plans Sub Committee East meeting dated 21st January 2015 for further information to be obtained and so that a Members site visit could take place.

At the previous meeting Members wanted confirmation from Essex County Council that a site visit had been undertaken by the Highways Officer and requested information regarding road traffic accidents along this stretch of highway.

The Highways Officer has confirmed in writing (via email) and verbally that he has visited the site several times as a result of the four recent applications to redevelop the site and has provided photographs that he has taken. Furthermore he has confirmed that he frequently drives past the site on the way to the Civic Offices (which he visits weekly), so is aware of the nature of the area and the traffic flow through Thornwood.

ECC Highways have also confirmed that four accidents have occurred within the vicinity of the site within the last 5 years and are as follows:

- 1 fatal accident involving a motorcycle on the wrong side of the road being struck by an oncoming vehicle;
- 2 accidents at the junction of Weald Hall Lane involving right turning vehicles;
- 1 accident to the south of Weald Hall Lane involving a pedestrian and vehicle.

:

It is worth noting that there have been no reported accidents in the vicinity for over 2 years and that the accidents above have nothing to do with the site or any existing residential movements along this section of the road. Furthermore the 4 accidents would not meet the criteria for Essex Highways, Road Safety Team to investigate implementing any safety measures at this location. The fatality would have undergone its own investigation at the time and if any recommendations were made as a result, these would have been implemented.

Further to the Highway issues raised, as set out in the report the proposal results in the removal of the existing layby at the front of the restaurant, which when used can result in obstruction of the view north when exiting Carpenters Arms Lane. The conditions suggested by the Highway officer, which are clearly tailored to this site, and the current application, will result in the provision of a pavement in front of the 3 fronting properties, where currently there is none. This will both improve pedestrian safety and deter parking in this area to the benefit of sight lines. The original Highways response is attached at the end of this report for information.

MAIN REPORT (amended 28/01/15):

Description of Site:

The application site is a relatively large, part two storey part single storey detached building that was previously a public house, however was last used as an Indian restaurant (now closed). To the rear of the building is an associated car park. The building itself is located outside of the Metropolitan Green Belt however the remainder of the site is within the Green Belt.

To the immediate north of the site are residential properties fronting the High Road and within Smiths Court, and on the opposite side of Carpenters Arms Lane to the south are a row of residential properties leading down to Teazle Mead to the west of the site. To the west and east (on the opposite side of the High Road) are open fields. The site is located within an EFDC flood risk assessment zone and partially within an Environment Agency Flood Zone 2.

Description of Proposal:

Consent is being sought for the demolition of the existing building and construction of five houses. The existing building was the former public house, which was last used as an Indian restaurant but is now vacant. The proposal would consist of a terrace of three houses fronting onto the High Road and two detached dwellings fronting Carpenters Arms Lane.

The three terrace dwellings would all be 4.5m in width and 9.5m in depth (with the central dwelling being 10.25m deep) with ridged roofs reaching a height of 8.7m and habitable roof areas served by rooflights (with the exception of the central dwelling that would benefit from a rear dormer window). The detached dwelling at the western end of the site (Plot 1) would be 10m in width and a maximum of 8.7m in depth with a ridged roof to a height of 8.2m. This would benefit from a gable ended front projection. The second detached house (Plot 2) would be 7.5m in width and a maximum of 9.2m in depth with a ridged roof to a height of 8.4m. This would also benefit from a gabled front projection with a bay window.

The proposed terrace properties would all be three bed houses and the two detached properties would be four bed houses. The terrace properties would benefit from one parking space per unit within the front garden areas (accessed from the High Road) and the detached houses would each have two parking spaces to the side of the dwellings accessed from Carpenters Arms Lane. There are also five additional spaces proposed at the western end of the site within a small car park accessed from Carpenters Arms Lane.

Relevant History:

EPF/1708/12 – Proposed demolition of existing building and construction of six houses – withdrawn 05/11/12

EPF/0340/13 – Demolition of existing building and the construction of five houses – refused 11/04/13

EPF/1810/14 – Demolition of existing public house and erection of 12 no. flats – withdrawn 12/11/14

Policies Applied:

CF12 – Retention of community facilities

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

CP6 – Achieving sustainable urban development patterns

GB2A – Development within the Green Belt

GB7A – Conspicuous development

H2A – Previously developed land

H3A – Housing density
H4A – Dwelling mix
U2B – Flood risk assessment zones
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

41 neighbouring properties were consulted and a Site Notice was displayed on 01/12/14.

PARISH COUNCIL – Objects to this application on the following grounds:

Concern at the boundary line indicating properties being built over the boundary line, there are inconsistencies on the plans, no full details of the street scene included with the plans, plan detail approximate heights only, whilst the area is not in a flood zone it is within 20m of a watercourse.

There is a concern at the height, overdevelopment, or the proposal. Totally out of keeping with the area. There are flooding concerns, there are highway issues with the egress and ingress to the site, concern at the parking to the front of the site, and the site lines. Concern at parking concerns along Carpenters Arms Lane. The proposal would be prominent in the street scene. There is concern as to the density of the proposal, there is concern as it is the last public house in the village of Thornwood Common and is a community facility – has a study been carried out to see if it can run as a 'going concern', if so can details of this be provided. Overlooking into adjacent properties. It would have a detrimental effect on the visual amenities of the residents in the area. The style of the development is out of character and out of keeping with the area.

Members would like to ascertain what studies have been undertaken in relation to the loss of a community facility. Has a survey of the residents of Thornwood Common been undertaken. The Carpenters Arms Pub is listed by the Parish Council as an Asset of Community Value (sic).

EPPING SOCIETY – Object. Whilst in principle the site should be redeveloped the bulk of the town houses that front onto the High Road would be overbearing and have a negative impact on the street scene.

ROSTELLAN, CARPENTERS ARMS LANE – Object as five houses represents overdevelopment, due to the impact on the Green Belt, since town houses would be inappropriate for the village, the highway safety issues with the High Road, highway concerns revolving around Carpenters Arms Lane, loss of light and privacy to neighbours, and due to possible flooding issues.

BRECKENRIDGE, SMITHS COURT – Object to the erosion of the Green Belt, due to highway safety concerns about cars reversing onto the High Road, the loss of the existing trees on Carpenters Arms Lane, overlooking of neighbouring properties, since the existing car park is used by workers on the nearby industrial site, and since it would be preferable to see the site returned to its original state of some 15 years ago.

HILLVIEW, HIGH ROAD – Not objecting in principle but concerns that the previous application for six houses was preferable since only two would have fronted the High Road and there would have been less impact on their property, the existing landscaping does not adequately shield the site from view, there may be inadequate parking provision, the front houses will be just five foot from their house and would result in a loss of light to the bathroom window, concerned about what will happen regarding the shared boundary, there is an asbestos roof on the outbuilding that is to be demolished, and it is considered that the demise of the former Carpenters Arms was down to ignorance towards the rights of neighbours and villagers.

MOOLTAN, CARPENTERS ARMS LANE – Object as this is overdevelopment of the site and detrimental to the visual amenities of surrounding residents. The town houses and development on this side of Carpenters Arms Lane would be out of character with the area. There would be a loss of existing parking. This would set a precedent for further development in the Green Belt that would further increase traffic, noise and flooding. There would be a loss of existing vegetation and possible flooding effects. The new houses would result in a loss of light, outlook and privacy to neighbouring residents. Concerns over land ownership. There would be an increase in traffic and highway safety concerns. There are insufficient facilities for residents of the village as it is without introducing more houses.

3 CARPENTERS ARMS LANE – Object as the increased residential density and car usage would have a detrimental effect upon the quality of life of local residents and would put an increased strain on the infrastructure of the village.

HILLHOUSE, 1 SMITHS COURT, HIGH ROAD – Object due to highway safety concerns, the loss of the existing trees, loss of privacy to neighbours, the impact on the Green Belt, and since this would remove the existing parking area used by employees at the nearby industrial estate.

FLAT 1, NEW HOUSE, CARPENTERS ARMS LANE – Object as this is inappropriate development and would cause parking and access problems, there would be a loss of privacy to neighbours, highway safety concerns, and the application site includes Green Belt land.

LA RUETTE, CARPENTERS ARMS LANE – Object since the development is out of scale with the plot, would result in increased traffic and parking, involves the loss of trees and hedges, potential flooding issues, highway safety concerns and due to problems during construction, and regarding damage to Carpenters Arms Lane.

2 MIDDLEFIELD, HALSTEAD – Object to the loss of the public house.

20 HIGH MEADOWS, CHIGWELL – Strongly object.

62 EPPING WAY – Object to the loss of the community building.

29 THORNHILL, NORTH WEALD – Object to the loss of the public house.

48 BLACKBUSH SPRING, HARLOW – Object as the development would cause congestion and road safety problems, there is inadequate parking provision, and due to the loss of the public house.

154 PETERSWOOD – Object as this is overdevelopment of the site, it would not be in keeping with the local area, and due to the loss of the public house.

13 CRANSTON GARDENS – Object as the development would not be in keeping with the area and would result in parking and access problems.

61 MARLBOROUGH ROAD – Object as the development is not in keeping with the local area and due to the loss of the public house/restaurant.

21 OAK HILL – Object as it would appear out of place in the area and would result in parking problems.

Issues and Considerations:

The main issues here relate to the suitability of the site, the impact on the Green Belt, the loss of the community use, the character of the area, the neighbours amenities, impact on existing landscaping, and with regards to highway and parking issues.

Suitability of the site:

The application site consists of a former public house within the village of Thornwood Common. The National Planning Policy Framework (NPPF) puts forward a presumption in favour of sustainable development and contains guidance within its Core Planning Principles as to what this seeks to achieve. Within this, the NPPF states that (amongst other principles) planning should:

- *Encourage the effective use of land by reusing land that has been previously developed (brownfield land);*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling; and*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Although the application site would constitute previously developed land it is not considered to be within a sustainable location. Although there is a bus service which runs into Epping and Harlow the village does not have essential facilities and services and is not within walking distance of any such facilities. Whilst it would be possible to cycle from Thornwood Common into Epping there are very narrow pavements along this busy road (High Road – B1393) which make walking and/or cycling extremely difficult. The village at present contains one restaurant (the application site), an OAP social club, a small farm shop, and a petrol station located outside of the village envelope. The unsustainable nature of this site weighs against the development.

Concern has been raised by neighbouring residents that the proposal would result in an overdevelopment of the site, however the proposal would equate to a density of approximately 45 dwellings per hectare, which falls within the recommended site density of 30-50 dwellings per hectare as stated within Local Plan policy H3A.

Green Belt:

Whilst the existing building is located outside of the Metropolitan Green Belt the car park to the rear is within the designated Green Belt. The previous application to erect five houses on this site (EPF/0340/13) was refused planning consent in part for the following reason:

The 2 proposed detached dwellings are within the Green Belt and would constitute inappropriate development within the Green Belt and would be harmful to the openness and character of this area. No very special circumstances exist to outweigh this, or any other identified, harm and therefore the development fails to comply with Government guidance in the form of the National Planning Policy Framework and policies GB2A and GB7A of the adopted Local Plan and Alterations.

This application has altered the layout of the proposed development over that previously submitted so that the dwelling on Plot 2 is located closer to the boundary of the designated Green Belt (although still appears to fall within the Green Belt) and the dwelling on Plot 1 would be moved further east on the site to reduce the spread of built form and incursion into the Green Belt. Whilst the NPPF does allow for "*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use*" this is on the proviso that the development "*would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*". As the parts of the site located within the Green Belt are currently open areas of hardstanding or vegetated land the erection of two dwellings within this area would clearly have a greater impact on the openness of the Green Belt than the existing development. As such this exemption would not apply and the detached dwellings would therefore constitute inappropriate development in the Green Belt.

The NPPF states that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*" and that "*when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*".

In terms of the potential benefits of the proposal, the NPPF encourages the reuse of previously developed land as one of its core Planning Principles, as does Local Plan policy H2A that states "*the re-use of previously developed land will be encouraged when considering residential and mixed use (including residential) development schemes*". Whilst the loss of the community facility will be covered in more detail below the site does constitute previously developed land and has been vacant for a number of years and a large section of this is located outside of the Green Belt. Therefore in principle the redevelopment of this site is acceptable.

Whilst the proposed new detached dwellings would introduce built form into the Green Belt that does not currently exist the entire scheme would result in an overall reduction in built footprint across the entire site (both the section within and outside of the Green Belt). The proposed development would reduce the footprint of building across the entire site by 25% and would result in a reduction in the level of hardstanding by approximately 57%. Therefore the proposal would result in an increase in the level of openness generally across the site, albeit not specifically within the designated Green Belt.

Further to the above, the application site is partially located outside of the Green Belt and the dwelling on Plot 2 appears to be immediately adjacent to Green Belt boundary surrounding the village of Thornwood and there are residential properties to the east (along the High Road), to the north (in terms of Smiths Court), to the south (along Carpenters Arms Lane), and, although detached, to the west by way of Teazle Mead. Therefore the proposed

detached dwellings within the designated Green Belt in this location would be viewed within the context of the village and would have relatively limited harm in terms of openness.

Lastly, Central Government is currently putting great weight on the need to provide additional housing in suitable location and Eric Pickles recognised in a statement made in March 2011 that “*every new home built will create jobs in the UK building industry*”. Whilst the site is not particularly sustainable (see above) there are economic benefits that would result from the reuse of this brownfield site that is currently vacant and offering no benefit to anybody (including local residents).

Although two new dwellings within the Green Belt were previously refused on this site (EPF/0340/13) it is considered that the relocation of the detached dwellings (which reduces the spread of buildings and incursion into the Green Belt), along with the overall reduction in built form and hardstanding and the redevelopment of this brownfield site on the edge of Thornwood (surrounded by residential properties), is sufficient enough to outweigh the harm from this inappropriate development.

Loss of community/employment use:

Much concern has been raised that the development would result in the loss of a community facility. Local Plan policy CF12 states that:

Permission will only be granted for proposals which will entail the loss of a community facility where it is conclusively shown that:

- (i) the use is either no longer needed or no longer viable in its current location; and**
- (ii) the service, if it is still needed, is already, or is to be, provided elsewhere and accessible within the locality to existing and potential users.**

Where planning permission is granted for proposals that will entail the loss of a community facility, the Council will consider favourably alternative uses which fulfil other community needs and which satisfy other policies of the plan. Where there is an identified need for another facility, the Council will have to be satisfied that the site is unsuitable for that use prior to considering the site for open market housing or other commercial proposals.

Throughout the previous applications details of the history and trading of the site have been submitted. With EPF/0340/13 evidence was provided stating the following:

- The site was purchased in 2002 and around £350,000 was invested into the business.
- Between 2002 and 2008 several complaints were received from neighbours that resulted in three convictions of the owner costing in excess of £12,000 in fines and costs.
- In 2006 there was a loss of £93,464.
- In 2007 there was a loss of £78,425.
- In 2008 there was a loss of £10,761.
- In 2009 there was a loss of £3,122.
- In 2008 a 25 year lease was sold to the restaurant owner, who went missing in 2012 and has indicated that he is insolvent.

With the previous application to redevelop the site into 12 flats (EPF/1810/14) the submitted Supporting Statement claims the following:

The current owner purchased the property in 2002. Soon after it was extended to provide a 56 cover restaurant. This was named ‘Ridgeways’ with the then Carpenters

Arms being retained as a public house. Meanwhile the other public house (in Thornwood), the Blacksmiths Arms, was de-licensed and ceased trading due to lack of use.

Trading at Ridgeways continued until September 2008. Financial losses in three years (2006 to 2008) amounted to some £183,000. From 2002 to 2008 the restaurant owner was beset by noise nuisance complaints resulting in three convictions with fines and costs in excess of £12,000.

In 2008, amid growing losses and complaints, the present owner decided to sell the business. The property was marketed for a year as a leasehold and there was but one applicant who undertook a 25 year leasehold. The entire ground floor premises became an Indian restaurant and was renamed. It is understood that, when the restaurant was again trading, there were numerous complaints regarding odours.

The leaseholder remained for two years and then left, whereabouts unknown, but by way of an email message has indicated insolvency.

The sequence of events since 2002 have, therefore, shown that the facility is no longer viable or needed, if indeed it ever was. Nor does there appear to be a need for any other community facility. Apparently a Parish Council survey in 2011 indicated that the building of a new village hall would not be sustainable. Not that the site of the Carpenters Arms would have been a suitable one.

There are understandable concerns with regards to the loss of this community facility since this is one of the last facilities within the village of Thornwood. Furthermore the above information does not constitute a viability assessment and is unsupported by any financial information. The original investment in the business in 2002 is given little weight, as these investment costs may have been offset by the purchase price of the site. Similarly the £12,000 costs as a result of the applicant's convictions are not considered to be relevant to a financial assessment of the business.

The fact that the current owner has not been able to make a viable business of the site (although it appears that they were making headway on this since the stated losses were dramatically decreasing year by year) does not mean that another owner/manager could not successfully run a business in this property, particularly if the use were to be combined with another facility required in this location (such as a shop or post office). Furthermore, although there are other pubs within Epping, Coopersale and North Weald, all of which are within 2 miles of the application site, these are still some distance from Thornwood Common and are not easily reached by sustainable means of transport. As such it is not considered that these would meet the criteria of being "accessible within the locality to existing and potential users".

In addition to the above North Weald Parish Council claim that the site is on their list of Assets of Community Value (ACV). The designation of land or buildings as ACV is provided under the Localism Act 2011. Nominations for community assets can be made by parish councils or by groups with a connection with the community to the District Council. If the nomination is accepted, the group will be given time to come up with a bid for the asset when it is sold. The right to bid only applies when an asset's owner decides to dispose of it. There is no compulsion on the owner of that asset to sell it. The scheme does not give first refusal to the community group and it is not a community right to buy the asset, just to bid. This means that the local community bid may not be the successful one.

It is the remit of the Local Authority to designate a site as an ACV however this site has not been submitted to the Council for designation. Therefore this property **is not** on any list as

an Asset of Community Value. Whilst it may be the intention of the Parish Council to put this forward for designation they have not submitted this at the time of writing this report nor is there any guarantee that the site would be designated. If a site has an ACV designation this can be a material planning consideration if a change of use or redevelopment application is submitted. However if ACV status is designated it does not prevent a planning permission being granted (nor would the grant of a planning permission override the nominating body's right to bid). In a reported planning decision in Farnborough, Rushmoor Borough Council granted planning permission for the conversion of a historic public house to a McDonald's drive through restaurant despite the building having been listed as an ACV (in February 2013) on the basis of the conclusion that limited weight should be applied to the ACV designation in determining the application as it did not appear that there was an immediate prospect of the community buying the property. Conversely, Wiltshire Council refused consent for the conversion of a public house that had been designated an ACV in June 2013 to a single dwelling on the basis that the proposal would result in the detrimental loss of a local service with a realistic prospect of community use.

Whilst there are clear concerns from local residents regarding the loss of this building this does not alter the fact that the site has not been used as a public house since 2008 (with the last use being a restaurant, which would rarely be classified as a 'community facility') and has been vacant since 2012. Due to this factor alone it could be reasonably argued that the 'community facility' has already been lost on this site and therefore the redevelopment of the site would now not be contrary to Local Plan policy CF12. Furthermore under Classes A, AA and C of Part 3 of the Town and Country Planning (General Permitted Development) Order the former public house (or current restaurant) could be converted into an A1 (retail) or A2 (financial and professional services) use without the need for planning consent. Planning permission would however be required for change of use back to a public house. Therefore this further weakens the case for protecting the (now no longer lawful) A4 use of the former public house.

Due to the above, whilst the loss of the former public house is regrettable it is not considered that there are sufficient grounds to refuse planning consent for the redevelopment of the site since there is an argument that the community facility is no longer present on site and therefore has already been lost.

Design/character of the area:

The two proposed detached dwellings would be two storey houses with ridged roofs and would front onto Carpenters Arms Lane. Whilst this element of the proposed development would introduce housing along the currently undeveloped northern side of Carpenters Arms Lane, given the presence of the existing dwellings on this lane, along with those at Teazle Mead, it is not considered that this would be unduly detrimental to the character of the area. The existing properties within Carpenters Arms Lane are predominantly two storey dwellings that vary in size and design and as such it is considered that the proposed detached houses would not be unduly harmful to the overall appearance of this lane.

The front three dwellings would continue the existing linear development along the western side of the High Road and whilst described as 'town houses' are actually two storey houses with additional rooms in the roof slope (as opposed to traditional three storey town houses with roofs above the second floor). The dwellings along this stretch of the High Road are all two storey houses varying in size and style. Although not many of the surrounding houses appear to have extended into the roof area the exception to this appears to be the property known as Thornwood House, which is located on the opposite corner of the High Road and Carpenters Arms Lane that contains front and rear rooflights. The second floor (habitable roof space) of the proposed terrace of houses would be served predominantly by rooflights, with just a single rear dormer window located on the central dwelling. The houses would

have a traditional appearance with a central 'feature' terrace benefiting from a front gabled projection and it is considered that these would be wholly in keeping with the existing street scene.

The height of the proposed terrace of properties would be 8.7m which, due to the change in land level, would be 200mm below the ridge height of Hill View to the north of the site. As such the proposed dwellings would continue the existing pattern of roof heights that generally decrease (primarily due to the change in land levels) from north to south.

The existing building benefits from several unsympathetic additions, including a flat roofed front extension and extremely large rear addition, and is of no architectural merit. As such the removal of the existing building could be viewed as a positive impact on the overall character and appearance of the area.

Amenities:

The proposed development would remove the existing restaurant building, which has a far greater footprint and depth than the proposed houses. The proposed front dwellings would not significantly extend beyond the rear wall of the adjacent neighbour (approximately 600mm) and would be 1.6m/2.5m from the neighbour's flank wall. As such the new front houses would be an improvement to the visual amenities of the neighbour's than the existing public house.

The detached house on Plot 2 would be located some 5m from the northern boundary of the site and would only contain a single rear first floor window serving a bedroom that would face onto the neighbouring land. The dwelling on Plot 1 would have three rear first floor windows (two serving bedrooms and one serving a bathroom) located some 6.5m from the shared boundary. Whilst these are closer to the shared boundary than would normally be desired the sections of neighbouring garden that would be affected would be towards the ends of the neighbour's amenity space and therefore the impact would be less significant. Furthermore any overlooking would be partially mitigated by existing planting.

The proposed new dwellings would be located at least 7m from the front boundaries of the properties on the opposite side of Carpenters Arms Lane, who themselves have front garden areas. Due to these distances there would be no unduly detrimental loss of light, outlook or privacy to neighbouring residents as a result of the proposed rear houses.

Whilst the detached dwelling on Plot 2 proposes a first floor flank window facing the proposed terrace properties this would be located some 16m from the rear of the terrace houses and, given that this forms one development, such an impact would be considered 'buyer beware'.

The proposed terrace dwellings would be expected to provide at least 80m² of private amenity space and the detached dwellings would be expected to provide 120m². The properties all appear to achieve roughly this desired level (in some cases having around 77m² and 116m²). Therefore it is considered that the level of private amenity space proposed is acceptable.

Landscaping:

Local Plan policy LL10 states that "*the Council will refuse to grant planning permission for any development which it considers makes inadequate provision for the retention of: (i) trees; or (ii) natural features, particularly wildlife habitats such as woodlands, hedgerows, ponds and watercourses*". Policy LL11 states that "*The Council will (i) refuse planning permission for any development which makes inadequate provision for landscaping*".

The proposed development would involve the removal of the existing trees along the boundary of the existing car park and Carpenters Arms Lane. These trees have been assessed by the Council's Tree & Landscape Officer and are not considered to be of significant amenity value to warrant protecting or retention. Therefore the removal of these is considered acceptable.

Details of how the trees along the northern boundary will be protected during construction would be required, however can be dealt with by way of a condition, and it would also be necessary to approve details of hard and soft landscaping by way of a condition.

Highways/parking:

The Essex County Council Vehicle Parking Standards requires two parking spaces for each of the dwellings plus two visitor parking spaces (0.25 spaces per dwelling rounded up). The proposed development meets these requirements since it proposes twelve off-street parking spaces to serve the five dwellings, which would be laid out so that each of the three terrace properties would have a single parking space within the front garden and the two detached dwellings would have two spaces within their side gardens. The remaining five spaces would be arranged within a small car park at the western end of the site. Whilst this is a somewhat unusual layout, in that the second space of each of the terrace houses would be some distance from the houses, this allows for more flexible parking arrangements (i.e. some residents may only own one car and therefore would only use their front space, whereby others may own three cars and therefore could make use of a free space within the car park – either by way of the parking being unallocated or by private agreement).

Essex County Council raised no objection to the level of parking provision proposed or its location/layout. Whilst the dwellings at the front of the site would all be served by a parking space accessed directly off of the High Road, which would result in cars either entering or leaving the site in reverse, there are several other examples of this within the village and it is not considered that this would further impact on highway safety or the free flow of traffic. Furthermore the removal of the existing lay-by at the front of the site would remove an existing highway hazard since cars parked within this lay-by currently block sight lines to the north of the Carpenters Arms Lane junction. The proposed off-street parking to the front of the terrace properties would be further back from the edge of the highway and therefore would improve sight lines over the existing situation.

An objection has been received regarding the loss of the existing car park and the impact that this would have on on-street parking within the area, particularly since it is stated that workers of the nearby industrial estate use this area to park in. As the car park is private property and access is only granted for public parking out of goodwill the loss of this car park cannot be given any weight as the area could be closed off from public use without the need for planning permission.

Other issues:

The application site is located within an EFDC flood risk assessment zone and is partially within an EA Flood Zone 2 and is of a size where it is necessary to avoid generating additional runoff. As such a flood risk assessment should be agreed for the development, however this can be done by way of a condition.

Due to the electrical substation and previous development on this site there is the potential for contaminants to be present on site. As domestic dwellings and gardens are classified as a particularly sensitive use contaminated land investigations and possible mitigation

measures will need to take place on site. These can be controlled by the imposition of conditions.

Conclusion:

Whilst the proposed development would not be located in a sustainable location and would involve the erection of two new dwellings within the Metropolitan Green Belt it is considered that the harm from this (particularly since the development is located on the edge of the village of Thornwood and surrounded by residential development) would be limited and would be suitably outweighed by other matters, including the benefits of redeveloping this brownfield site and the general economic and visual benefits the development would bring.

Whilst there is much concern that the proposal would result in the loss of a community facility the building has not been a community facility (a public house) for a number of years and the change of use from the former A4 use, or the current A3 use, to alternative uses does not require planning permission. As such it is considered that the community facility previously offered on this site has already been lost.

The proposed development meets the required off-street parking provision as laid out within the Essex County Council Vehicle Parking Standards, would provide sufficient private amenity space for future residents, complies with the recommended site density requirements of Policy H3A, and would not be unduly detrimental to the amenities of surrounding residents (and may have some benefit through the removal of the restaurant that often drew complaints from nearby residents). The loss of the existing car park is not given much weight since this is private land that could be made unavailable without consent, and the concerns regarding the impact on Carpenters Arms Lane (and any potential encroachment onto this) are not material to the planning considerations since this is a private road and therefore maintenance and upkeep issues (as well as those of ownership) are civil matters.

There has been no objection to the development from Essex County Council Highways with regards to highway safety or capacity concerns, and no objection from the Tree & Landscape Officer regarding the loss of existing trees.

As a result of the above it is considered that, on balance, the application complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***

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Report to District Development Control Committee

Report Reference: DEV-013-2014/15
Date of meeting: 8 April 2015



**Epping Forest
District Council**

**Subject: EPF/0293/15 - 11 Stoney Bridge Drive, Waltham Abbey – Erection
of single storey rear extension.**

Responsible Officer: Steve Andrews (01992 564337).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

- (1) That planning permission be granted subject to the following conditions:
- (a) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice; and
 - (b) Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Report Detail:

1. This application is before this Committee since it is an application that is submitted by Councillor Rod Butler (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(j)).

Description of Site:

The application site is located on the northern side of Stoney Bridge Drive and accommodates a two storey semi detached dwelling. Open fields adjoin the site to the east, which are within the green belt.

Description of Proposal:

The proposal is to erect a single storey rear extension 3m deep, 5.6m wide and 2.8m high with a centrally located roof lantern.

Relevant History:

None

Summary of Representations:

WALTHAM ABBEY PARISH COUNCIL – NO OBJECTION

2 Neighbouring properties were written to and a site notice was erected. No responses received at the time of writing the report.

Policies Applied:

Local Plan:-

CP2 - Quality of rural and built environment

GB7A – Conspicuous Development

DBE8 – Private Amenity Space

DBE9 - Loss of amenity

DBE10 – Residential Extensions

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Issues and Considerations:

The main issues to be addressed are:

- Impact on Green Belt
- Effect on character and appearance
- Effect on neighbours living conditions
- Effect on applicants living conditions

Impact on the Green Belt

Although the proposal will have limited views from within the Metropolitan Green Belt, given the size of the proposal and that it would be viewed against the existing backdrop of the existing built form of the housing estate it is not considered that the extension would appear conspicuous when viewed from within the green belt and would therefore conform with policy GB7A of the Local Plan (1998) and Alterations (2006). There is also good vegetation screening along this boundary.

Effect on character and appearance

Policies CP2 and DBE10 seek to ensure that a new development is satisfactory located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and not prejudice the environment of occupiers of adjoining properties.

There are no issues in terms of its design as the extension would appear subservient and in keeping with the host dwelling.

In this instance the design of the extension complies with policies CP2 and DBE10 of the Local Plan (1998) and Alterations (2006).

Effect on neighbours living conditions

Policy DBE9 seeks to ensure that an extension would not result in an excessive loss of amenity for neighbouring properties.

The extension would be located to the rear of the dwelling, just set off the boundary with the attached neighbour at 10 Stoney Bridge Drive. The extension would project

3m beyond the rear elevation of this neighbour at a height of 2.8m. The extension would not result in an excessive loss of amenity to occupier of No.10.

The depth is consistent with ground floor extensions approved throughout the district and if it were not for the fact that the extension does not entirely project from the rear wall then the extension could be erected without the need for planning permission.

Therefore the proposal is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006).

Effect on applicant's living conditions

Although the erection of a single storey extension would reduce the private outdoor amenity space it would still be of a size, shape and nature which would enable reasonable use. In addition, as mentioned above an extension of a similar size could be erected without the need for planning permission, which would also reduce of the amenity space to something similar to that proposed here.

Furthermore, given the use of the extension as an "orangery" this arguably is to be used as private amenity space, albeit covered.

The proposal would comply with policy DBE8 of the Local Plan (1998) and Alterations (2006).

Conclusion

The proposal causes no undue harm to amenity and complies with National and Local planning policies. It is therefore recommended for grant of planning permission.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564337***

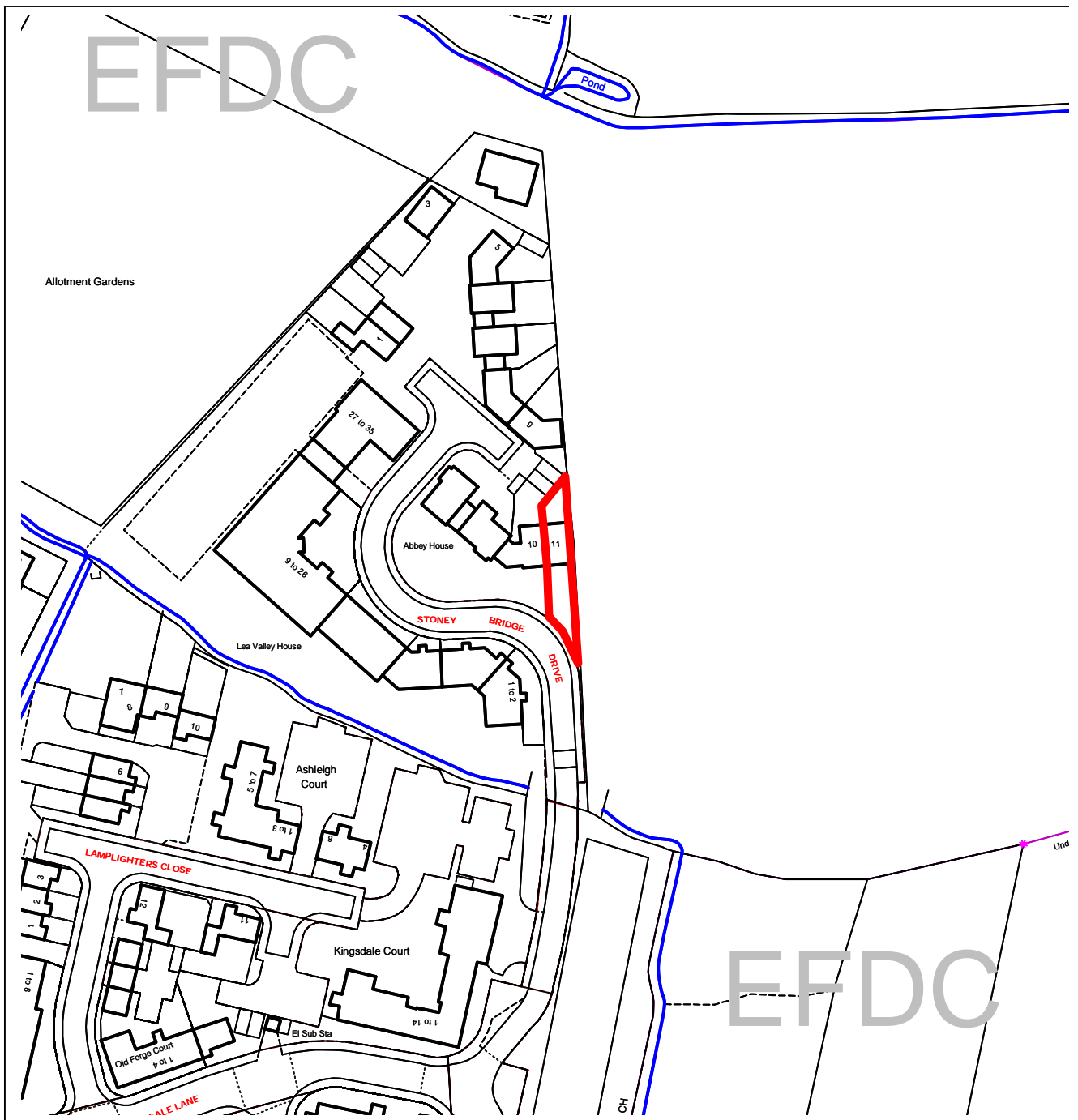
***or if no direct contact can be made please email:
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Epping Forest District Council

AGENDA ITEM NUMBER



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Application Number:	EPF/0293/15
Site Name:	11 Stoney Bridge Drive Waltham Abbey, EN9 3SF
Scale of Plot:	1/1250

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Report to District Development Control Committee



**Epping Forest
District Council**

Report Reference: DEV-014-2014/15.

Date of meeting: 8 April 2015.

Subject: Planning Application EPF/2936/14 – Land adjoining Longacre Cottage, School Lane, Stanford Rivers – Outline application for proposed new 4 bed dwelling with some matters reserved.

Responsible Officer: David Baker 01992 564514.

Committee Secretary: Gary Woodhall 01992 564470.

Recommendation:

(1) That outline planning permission be granted subject to the following conditions:

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.**
- 2 a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
(i) scale;
(ii) appearance;
(iii) landscaping.
b) The reserved matters shall be carried out as approved.
c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.**
- 3 The curtilage of this proposed dwelling shall be restricted to the area edged in red as shown on the approved plan 1493/01a.**
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously**

damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 6 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1493/01a; 1493/05; and MP/LA/01 Rev A.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 8 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 9 Prior to the first occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4m x 43m to the north and south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction in perpetuity.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- 11 **There shall be no discharge of surface water onto the Highway.**
- 12 **Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.**

Report Background:

1. This application has been referred by the Area Plans Sub Committee East with no recommendation, however it was recommended for grant of planning permission by Planning Officers subject to conditions 1 to 8 above. At the meeting however a proposal to refuse the application was defeated. Before another decision was reached 4 members stood up and hence the application was referred to this District Development Control Committee with no recommendation. The sub committee did request that further details be provided on what constitutes 'limited infilling in villages' and the addition of 4 highway related conditions.

Planning Issues

2. Most villages in the District are located in the Green Belt and prior to the National Planning Policy Framework (NPPF) being introduced in 2012, proposals to build infill houses in villages were normally refused on grounds of inappropriate development in Green Belt. However paragraph 89 now states that 'limited infilling in villages' now constitutes an acceptable exception to the general rule that new buildings in the Green Belt are inappropriate. There is though no definition of what is "limited infilling" so we can only draw reference to recent appeal decisions.

3. Recent appeal decisions in this District, at Rosedale, Hornbeam Lane in Sewardstonbury, and at Pond House in Matching Green, reinforce this change to Green Belt policy - where the inspectors have agreed that the proposals come within the terms of infill development. The Matching Green decision has similarity with this Toot Hill application in that there is not a continuous line of buildings into which the additional house was proposed, and the site also faced a village green. An extract from this Planning Inspector's decision is as follows:-

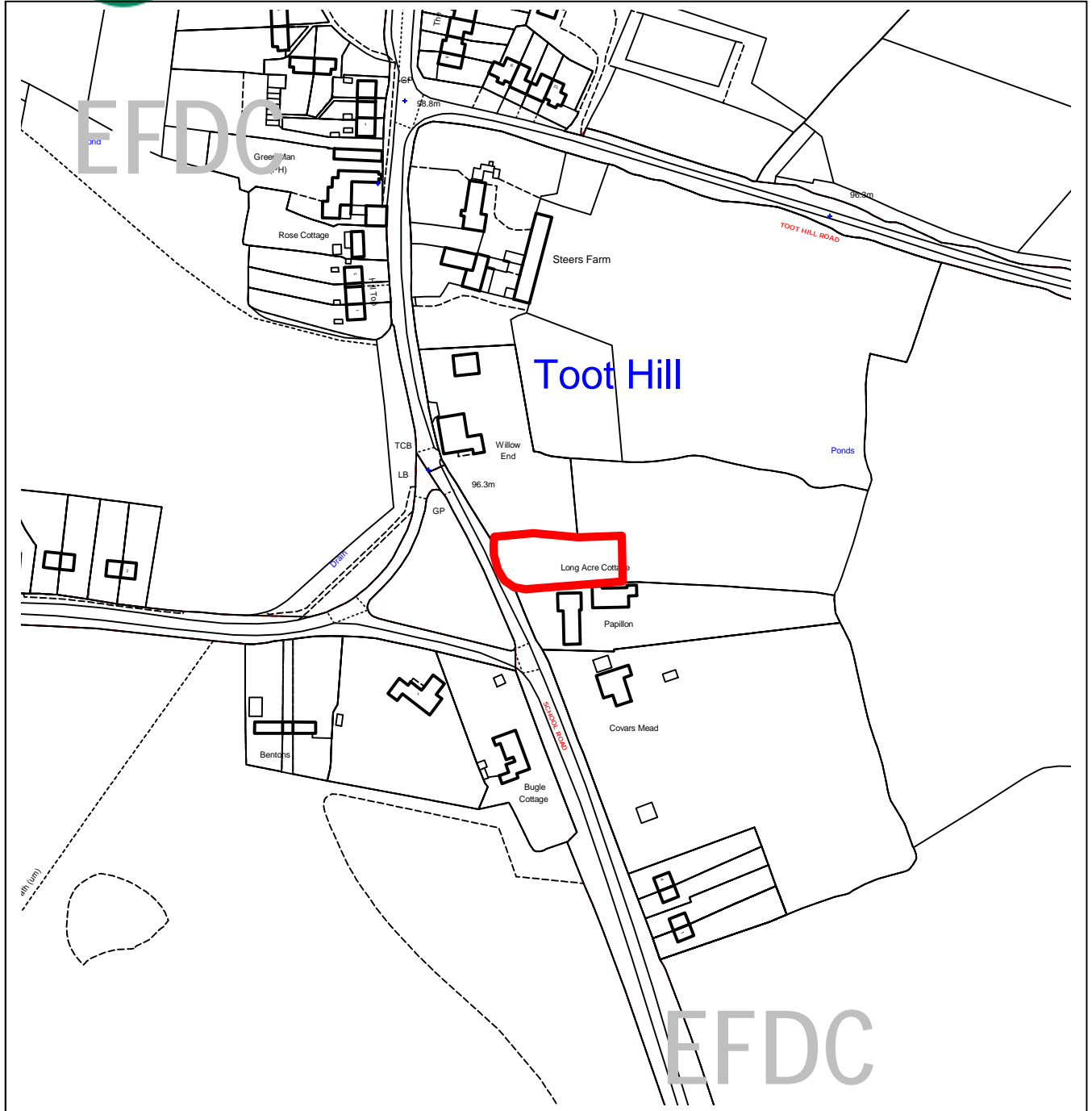
'The appeal scheme is for a single house in an established row of houses overlooking the Green in the village centre. I consider this can reasonably be regarded as limited infilling in a village. The Local Plan policies are silent in relation to infilling in villages and are therefore not consistent with the Framework in this particular regard and I therefore give greater weight to the Framework rather than (Local Plan) Policy GB2A in considering whether the appeal scheme constitutes inappropriate development. I conclude that the appeal scheme constitutes limited infilling in a village and therefore constitutes development which is not inappropriate in the Green Belt in accordance with the provisions of the Framework.'

4. Although this Toot Hill application is an outline one the layout of the site, including the footprint of the house, is being approved at this stage. The proposed footprint is not excessive and is similar to nearby dwellings. Consequently the proposed house will not be of a size which is out of character with its surroundings. In addition elevation plans submitted for information purposes show a 2 storey dwelling and anything larger in scale would not be approved when a reserved matters application is subsequently submitted.

5. At the 18 March 2015 East Sub-Committee meeting, 4 conditions requested by Essex CC Highways were verbally reported following highway acceptance of revised plans, and it was agreed that these be added to the existing 8 suggested conditions. They cover 'standard' issues relating to sight lines, surface material to be used on the drive, no discharge of surface water on to the highway, and any gates to be positioned 6m back from the edge of the carriageway.

Conclusions:

6. The proposal complies with the NPPF, and it is recommended that outline consent be granted subject to the original 8 conditions in the attached report, together with the 4 highways conditions referred to in para 5 above.



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Application Number:	EPF/2936/14
Site Name:	Land adjacent to Longacre Cottage School Road, Stanford Rivers, Ongar CM5 9PU

Report Item No: 6

APPLICATION No:	EPF/2936/14
SITE ADDRESS:	Land adjacent to Longacre Cottage School Road Stanford Rivers Ongar Essex CM5 9PU
PARISH:	Stanford Rivers
WARD:	
APPLICANT:	Mr Martin O'Neal
DESCRIPTION OF PROPOSAL:	Outline planning application for proposed new 4 bed dwelling with some matters reserved.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572274

CONDITIONS & REASONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) scale;
 - (ii) appearance;
 - (iii) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 The curtilage of this proposed dwelling shall be restricted to the area edged in red as shown on the approved plan 1493/01a.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules

of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 6 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1493/01a; 1493/05; and MP/LA/01 Rev A.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 8 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

This application is before this Committee because the recommendation for approval is contrary to an objection from a local council which is material to the planning merits of the proposal, pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(f)).

Description of Site:

The site is a rectangular site lying on the east side of the attractive triangular village green area in Toot Hill bounded by School road, Toot Hill Road, and Epping Road. It lies to the north of the house at Long Acre Cottage. The site lies in the Green Belt but within the village envelope of Toot Hill.

Description of Proposal:

Outline application for a new 4 bed dwelling. The reserved matters for which approval is now sought are access and layout of the site, although detailed floorplans and elevations have been submitted for information.

Relevant History:

None

Policies Applied:

CP2 Protecting the quality of the rural and built environment
GB2A Development in the Green Belt
DBE4 Design in the Green Belt
LL10 Adequacy of provision for landscape retention.
ST4 Road safety.

NPPF Para 89

Summary of Representations:

STANFORD RIVERS PARISH COUNCIL – object – development within the Green Belt is contrary to para 89 of the NPPF, which states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Neighbours – 7 consulted and 2 replies received:-

WILLOW END – support the proposal – the site lies between my house and Long Acre Cottage but at present it is not fulfilling any particular use. The new project will smarten up the area and it seems to me that all my closest neighbours are positive towards it.

COVARS MEAD – support the proposal – we are neighbours of Mr and Mrs Neal at Long Acre Cottage and we have no objections to the proposed dwelling. It would bring about a positive change to an otherwise derelict site and would enhance the visual aspect of the village green area.

EFDC TREES SECTION – No objections to the application, which includes a tree report, subject to conditions requiring details of tree protection, and hard and soft landscaping to be submitted.

ESSEX CC HIGHWAYS – initially objected to the application because the existing hedge/vegetation next to the road would obscure the provision of 2.4m by 43m visibility

splays being provided for the new access. Since then a site meeting has taken place with the County and revised plans show the provision of these visibility splays.

Issues and Considerations:

This application is submitted by the owners of the adjoining Long Acre Cottage. It follows on from a pre-application enquiry which proposed the erection of a new dwelling.

Although the parish council correctly quote part of para 89 of the NPPF (which states that new buildings in the Green Belt should be regarded as inappropriate) there are 5 exceptions to this general rule. One of these exceptions is 'limited infilling in villages'. The site clearly lies within the south east part of the Toot Hill village envelope. Consequently, the proposed infill house does meet the requirements of para 89 of the NPPF and hence it is an appropriate development.

The applicants own a large area of paddock adjoining their house and at the pre-application stage it was emphasised that the proposed new dwelling should have only a limited garden curtilage so as to avoid urban encroachment into this large paddock. To this end therefore the proposed house lies on a red lined application site of some 50m in length by 20m in width. This residential curtilage is an appropriate size, and a condition to any consent will restrict the extent of the curtilage to this red line area only.

The sites frontage to the green currently comprises a hedge which in part is in a poor condition. However, it is important to retain a green frontage to the site so as to partly screen the new house and to be consistent with other frontages to the Green. Amended plans submitted show part of the hedge closest to the road now being removed in order to provide the necessary driver visibility splays. The rear part of the hedge will be retained and complemented by a new hedge to be planted behind the section to be retained. Further details of this new hedging will be required via a condition. In conclusion, the revised frontage to the site will still be a green one appropriate for the locality, and it will provide for safe vehicular egress from the site.

In terms of off street parking the submitted site layout plan shows the provision of an attached garage to the proposed house plus a driveway area that can accommodate several cars, and hence the proposal will not give rise to parking on the road next to the village green. Although the design and appearance of the proposed house is a reserved matter for subsequent approval the elevations submitted for information show features such as gables and steep angled roofs appropriate for a house in a semi rural area.

Comments on representations received:-

The proposal will have a minimal impact on neighbouring properties and indeed the two nearest neighbours support the proposal. The objection of the parish council has been addressed above.

Conclusions:

Although located in the Green Belt this is an infill plot within a village envelope and consequently a new dwelling is an appropriate development. For this reason, and those outlined above, it is recommended that outline planning permission be granted.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

**Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514**

**or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk**