

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 10th December, 2014

You are invited to attend the next meeting of **Area Planning Sub-Committee East**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 10th December, 2014
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Rebecca Perrin (Directorate of Governance)
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564243

Members:

Councillors Mrs S Jones (Chairman), P Keska (Vice-Chairman), K Adams, A Boyce, Mrs H Brady, W Breare-Hall, T Church, P Gode, Mrs A Grigg, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, B Surtees, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND
APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN
COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 22)

To confirm the minutes of the last meeting of the Sub-Committee, held on 12 November 2014(attached).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) 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.

7. DEVELOPMENT CONTROL (Pages 23 - 144)

(Director of Governance) To consider planning applications as set out in the attached

schedule

Background Papers:

- (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.
- (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. 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.

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 Subcommittee 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'

Area Planning Subcommittee East 2014-15
Members of the Committee:



Cllr Jones

Cllr Keska

Cllr Adams

Cllr Boyce

Cllr Brady



Cllr Breare-Hall

Cllr Church

Cllr God

Cllr Grigg

Cllr
McEwen



Cllr Morgan

Cllr Philip

Cllr Rolfe

Cllr Stallan

Cllr
Surtees



Cllr Waller

Cllr
Whitbread

Cllr Janet
Whitehouse

Cllr Jon
Whitehouse

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 12 November 2014
East

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.17 pm
High Street, Epping

Members Present: P Keska (Chairman), K Adams, A Boyce, T Church, P Gode, Mrs M McEwen, J Philip, B Rolfe, D Stallan, B Surtees, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: Mrs S Jones, Mrs H Brady, W Breare-Hall, Mrs A Grigg and R Morgan

Officers Present: J Shingler (Principal Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

37. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

38. 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 Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

39. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 October 2014 be taken as read and signed by the Chairman as a correct record.

40. APPOINTMENT OF VICE CHAIRMAN

In the absence of the Chairman, the Vice Chairman took the Chair of the meeting and asked for a Vice Chairman to be nominated from the members present.

RESOLVED:

That Councillor Boyce be appointed Vice Chairman for the duration of the meeting.

41. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors D Stallan, G Waller, C Whitbread, B Rolfe, M McEwen, T Church, and P Keska declared a personal non pecuniary interest in the following item of the agenda by virtue of the applicant being a Conservative Member of Parliament. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1958/14 – The White Cottage, The Green, Theydon Bois.

(b) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal non pecuniary interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1958/14 – The White Cottage, The Green, Theydon Bois.

(c) Pursuant to the Council's Code of Member Conduct, Councillor B Surtees declared a personal non pecuniary interest in the following item of the agenda, by virtue of being a member of Ongar Town Council. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2124/14 – Allotment Ground to rear of 1-11 Rodney Road and 2-22 Fairfield Road, Ongar.

(d) Pursuant to the Council's Code of Member Conduct, Councillor T Church declared a personal non pecuniary interest in the following items of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1992/14 – 148 High Street, Epping.
- EPF/2056/14 – Broadbanks, Ivy Chimneys, Epping

(e) Pursuant to the Council's Code of Member Conduct, Councillor J H Whitehouse declared a personal non pecuniary interest in the following item of the agenda, by virtue of being a member of the Epping Society. The Councillors had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1992/14 – 148 High Street, Epping.

(f) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a personal non pecuniary interest in the following item of the agenda, by virtue of being a County Councillor. The Councillors had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2027/14 – Land at Brent House Farm, Harlow Common, North Weald.

42. ANY OTHER BUSINESS

It was noted that there was no urgent business for consideration by the Sub-Committee.

43. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

44. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Assistant Director Development Management under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1958/14
SITE ADDRESS:	The White Cottage The Green Theydon Bois Epping Essex CM16 7JH
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Retention of fence near rear boundary, proposed erection of 0.5m trellis over existing side fence.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567111

The presenting Officer mentioned a letter from the applicant and also from their security advisor which had been sent to all Members which emphasised that the fencing, particularly that adjacent to Cornerways, will help security at the dwelling.

CONDITIONS

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

Report Item No: 2

APPLICATION No:	EPF/1992/14
SITE ADDRESS:	148 High Street Epping Essex CM16 4AG
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Conversion of retail shop and first floor office/showroom to retail unit (to High Street) and two flats (Resubmission of EPF/1136/14)
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567274

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: 1438/02d and 1438/04b
- 3 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.
- 4 The refuse storage area shown on the approved plans shall be created prior to the first residential use of the building and retained thereafter, free of obstruction, for its stated use.
- 5 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.

Report Item No: 3

APPLICATION No:	EPF/2027/14
SITE ADDRESS:	Land at Brent House Farm Harlow Common North Weald Essex CM17 9ND
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Kirk Pickering
DESCRIPTION OF PROPOSAL:	Demolition and reconstruction of the Farm House together with the erection of 10. no. additional dwellings, served off the existing approved vehicular access on Harlow Common/Foster Street together with internal road layout, parking, and a scheme of landscaping and tree planting. (Alterations to EPF/1285/11 and EPF/1370/10).
DECISION:	Agreed to Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567490

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 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.
- 3 No development shall take place until details of foul 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.
- 4 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 5 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.

- 6 All recommendations set out in section 5, table 5 and table 6 of the Phase 1 Habitat Survey, section 4 of the bat emergence survey and section 4 of the Reptile Survey produced by Peakecology Ltd. are followed. If more than a year has elapsed between the bat survey being conducted and the works commencing a further emergence survey shall be undertaken to ensure no bats have colonised the buildings or trees on the site.
- 7 The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (Glanville, Ref: CV8140628/JR/DW/004, 15 August 2014) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 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:
 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.
- 9 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.
- 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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: A TP(00)003, 004, 005, 005, AGA(10)00 001, 002, 003, 004, 005,006, 007, 008, 009, 171L01, L02, L03, L04.

And subject to the applicant entering into a legal agreement under section 106 to provide £50,000 towards the provision of local community facilities before the 26th of November 2014, or such longer period as may be agreed in writing by the Local Planning Authority before that date.

Report Item No: 4

APPLICATION No:	EPF/2056/14
SITE ADDRESS:	Broadbanks Ivy Chimneys Epping Essex CM16 4EL
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Outline application with all matters reserved for demolition and removal of stables and hardstandings. Provision of access road with turning head, erection of five detached dwellings with garages and car spaces including ancillary works and landscaping.
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567612

The presenting Officer mentioned 1 additional objection had been received, with concerns about traffic and highway safety, congestion issues, parking issues and disruption during construction.

Members deferred the application in order that a site visit could be carried out.

Report Item No: 5

APPLICATION No:	EPF/2099/14
SITE ADDRESS:	69 Sheering Lower Road Sheering Sawbridgeworth Hertfordshire CM21 9LG
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	Erection of one dwelling and two double garages (amendments to internal floor plans and elevation to house approved under EPF/0697/11).
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567830

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 No's: Location Plan, Elevations Rev A, Proposed First Floor Plan Rev A, Proposed Ground Floor Rev A, Proposed Sections Sheets 1 & 2, Garage Plan, OS 781-14.2 & 14.3 Revisions A.
- 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 The proposed window openings in the eastern elevation and the window serving bedroom 3 on the western elevation shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 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.

- 6 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.
- 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 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.
- 9 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 Class A, B, C and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 10 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 11 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 12 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.

Report Item No: 6

APPLICATION No:	EPF/2124/14
SITE ADDRESS:	Allotment Ground to rear of 1-11 Rodney Road and 2-22 Fairfield Road Ongar Essex CM5 9HJ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Proposed 2 new four bedroom detached houses, with associated parking and gardens with access from Rodney Road (Revised application to EPF/2571/13)
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567914

The presenting Officer pointed out that the red line on the agenda plan is incorrect and explained that the site does not include land to rear of 9 and 11 Rodney Road.

Members deferred making a decision in order that a site visit could be carried out.

AREA PLANS SUB-COMMITTEE 'EAST'

10 December 2014

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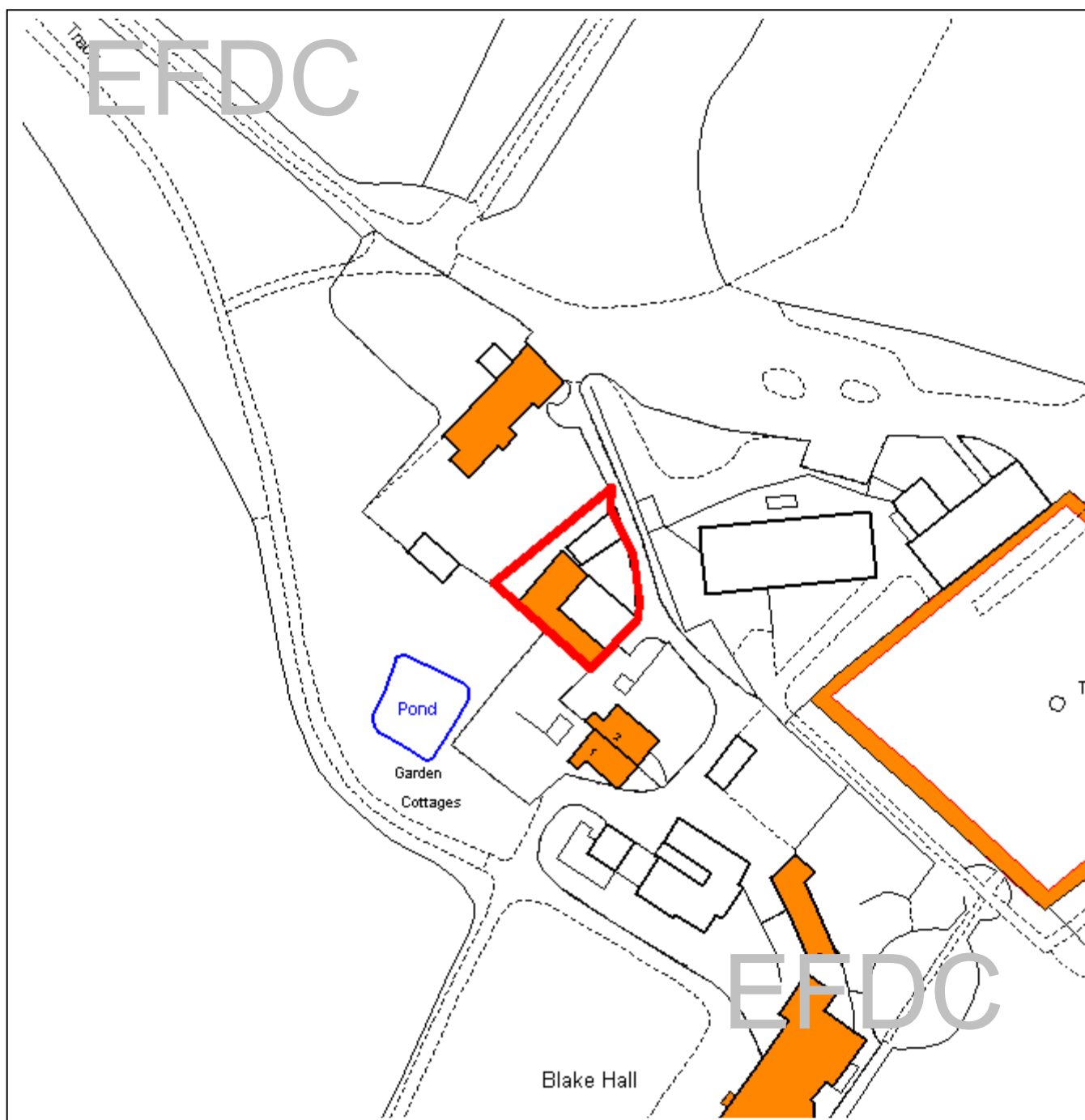
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/1975/14 & EPF/1976/14
Site Name:	Blake Hall, Stoney Lane Ongar, CM5 0DG
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1975/14
SITE ADDRESS:	Blake Hall Stoney Lane Ongar Essex CM5 0DG
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Rachel Capell-Cure
DESCRIPTION OF PROPOSAL:	Conversion of existing redundant barn to an assembly room to become a constituent part of the existing business on site.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567175

REASON FOR REFUSAL

- 1 The development lies within a Conservation Area is a listed building and adjoins a number of listed buildings. The design and detailing in particular the large expanse of glazing proposed, fails to respect the character of the building, the setting of the adjacent listed buildings and this part of the Conservation Area. Whilst there is no concern with regard to the proposed change of use, the alterations to the building are contrary to policies HC6, HC7, HC10, HC12 and HC13 of the adopted Local Plan and Alterations.

This application is before this Committee since it has been 'called in' by Councillor Boyce (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

Blake Hall is a Grade II* manor house set in its own parkland and is within a conservation area within the Metropolitan Green Belt. A barn (North Barn) within the farm complex has been adapted as a wedding venue. The red lined application site relates to a second barn, which is to the south of the main barn and is currently used for general storage. This timber barn dates from the 17th Century and is Grade II listed in its own right.

Description of Proposal:

The proposal is to carry out internal and external works and to convert the barn for use in connection with the existing wedding venue use. The conversion will allow the barn to be used to facilitate guests before, during and after the ceremony and use the north barn for the wedding breakfast, whereas at the moment, when the weather is poor the North Barn currently has to provide a pre-service reception area, be a venue for the ceremony, have photographs and post ceremony reception and finally be set for a wedding breakfast, which can be inconvenient for guests.

The works proposed include the levelling of the internal floor, by providing a suspended floor that maintains the original beneath and the insertion of glazing.

Relevant History:

There is no history specific to the barn in question but the following history is relevant as it relates to the current use of the wider site.

CLD/EPF/1833/01. Certificate of lawfulness application for use of Essex barn for weddings, receptions and other social activities. Lawful 27/05/2002.

EPF/1266/07 - Erection of single storey utility wing to existing barn – Refused

EPF/1268/07 - Grade II listed building application for the erection of single storey utility wing to existing barn – App/Con

EPF/1952/07 - Erection of single storey utility wing to existing barn (Revised application) – App/Con

EPF/1953/07 - Grade II listed building application for the erection of a single storey utility wing to barn. (Revised application) – App/Con

EPF/0692/09 Grade II listed building consent for the enlargement of existing windows in gable of barn. This involves the creation of two windows in the place of one on both gable ends with shutter detailing. App/Con

EPF/1882/11 Conversion of existing cottage and stable to hotel accommodation - Approved

SUMMARY OF REPRESENTATIONS

.A site notice was erected and the Listed Building Application was advertised in the Local Press.

PARISH COUNCIL – No Objection subject to approval by the Listed Building Officer.

Policies Applied:

Local Plan and Alterations

CP2 - Protecting the Quality of the Rural and Built Environment

CP3 – New Development

GB2A – Development within the Green Belt

GB8A – Change of Use of Adaptation of Buildings

DBE1 - Design

DBE 9 – Amenity

LL11 – Landscaping

HC6 Character appearance and setting of Conservation Area

HC7 - Development within a Conservation Area

HC10 – Works to Listed Buildings

HC12 – Development Affecting the Setting of Listed Buildings

HC13 – Change of Use of Listed Buildings

The above policies are in accordance with the NPPF and are therefore to be accorded due weight.

Issues and Considerations:

The main issues in the planning application are the appropriateness of the development within the Green Belt and the impacts of the proposed development on neighbouring amenity and on the character and appearance of the conservation area and the setting of listed buildings.

Green Belt

The application site is within the Metropolitan Green Belt. The NPPF states that the reuse of existing buildings that are of permanent and substantial construction is not inappropriate in the Green Belt. The proposal does not include any extension to the building and there will be no increased impact on openness as a result of the development.

Neighbouring Amenity

The barn is not in close proximity to any residential properties and the proposed change of use is not intended to result in an intensification of the overall use of the wedding venue. It is not considered that there will be any harm to residential amenity.

Character and Appearance of the area

The proposed works to the building include the creation of a large expanse of glazing on the northern elevation of the building through which the historic frame of the building, which is to be retained, will be visible. This feature, which is not a traditional feature within farm buildings, will have a significant impact on the visual character of the building. The barn at present retains its character as a farm building as does the North Barn adjacent, which was sensitively converted with minimal additional glazing. It is considered that this disproportionately large glazing feature will significantly detract from not only the listed building itself but also from the character of the conservation area and the setting of the adjacent buildings. The glazed area will be a jarring and discordant feature alien to the traditional farmyard setting.

Policy HC13 which relates to the change of use of listed buildings states that this can be permitted where:

- i. This can be shown to be the only way to retain the special architectural or historic interest of the building
- ii. Any proposed alterations respect and conserve the internal and external characteristics of the building and do not diminish its special architectural or historic interest; and
- iii. The immediate wider landscape settings of the building are respected.

Policies HC7, HC7, HC10 and HC12 all seek to protect the character of conservation areas, listed buildings and the setting of listed buildings and it is considered that this proposal fails in all these aims.

The impact on the listed building itself is covered in more detail in the report next on the agenda.

Conclusion

In conclusion it is considered that the proposed change of use is in itself acceptable, and will help secure the long term retention of an important listed building. However the removal of a significant area of the external weatherboarding of the listed building and the introduction of a disproportionately large glazed screen in the northern elevation will be harmful to the historic and architectural character of the listed building and the setting of the adjacent listed buildings and conservation area. As such the application is contrary to the adopted policies of the Local Plan and to the NPPF and is recommended for refusal.

Way Forward

The listed building advisor from Essex County Council has been in discussions with the applicant's agent and has suggested a way forward that reduces this expanse of glazing to 3 smaller elements, thereby retaining more of the original fabric and creating a considerably less discordant and untraditional feature, whilst enabling the change of use to take place. However the applicant has not chosen to pursue this, preferring instead for the current application to be determined in its present form.

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: Jill Shingler
Direct Line Telephone Number: 01992 564106

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

Report Item No: 2

APPLICATION No:	EPF/1976/14
SITE ADDRESS:	Blake Hall Stoney Lane Ongar Essex CM5 0DG
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Rachel Capell-Cure
DESCRIPTION OF PROPOSAL:	Application for a Grade II Listed Building. Conversion of existing redundant barn to an assembly room to become a constituent part of the existing business on site.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567190

REASON FOR REFUSAL

- 1 The proposed works to the external fabric of the building, particularly the removal of a significant amount of weatherboarding and the introduction of large glazed panel in the gable elevation results in an adverse impact on the character of the listed building contrary to policy HC10 of the Adopted Local Plan and Alterations and to the NPPF.

This application is before this Committee since it has been 'called in' by Councillor Boyce (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

Blake Hall is a Grade II* manor house set in it's own parkland and is within a conservation area within the Metropolitan Green Belt. A barn (North Barn) within the farm complex has been adapted as a wedding venue. The red lined application site relates to a second barn, which is to the south of the main barn and is currently used for general storage. This timber barn dates from the 17th Century and is grade II listed in its own right.

Description of Proposal:

The proposal is for listed building consent to carry out internal and external works to convert the barn for use in connection with the existing wedding venue use. The conversion will allow the barn to be used to facilitate guests before, during and after the ceremony and use the north barn for the wedding Breakfast, whereas at the moment, when the weather is poor the North Barn currently has to provide a pre service reception area, be a venue for the ceremony, have photographs and post ceremony reception and finally be set for a wedding breakfast, which can be inconvenient for guests.

The works proposed include the levelling of the internal floor, by providing a suspended floor that maintains the original beneath and the removal of external weatherboarding and insertion of glazing, including a large glazed screen in the gable elevation, through which the retained internal frame of the barn will be visible.

Relevant History:

There is no history specific to the barn in question but the following history is relevant as it relates to the current use of the wider site.

CLD/EPF/1833/01. Certificate of lawfulness application for use of Essex barn for weddings, receptions and other social activities. Lawful 27/05/2002.

EPF/1266/07 - Erection of single storey utility wing to existing barn – Refused

EPF/1268/07 - Grade II listed building application for the erection of single storey utility wing to existing barn – App/Con

EPF/1952/07 - Erection of single storey utility wing to existing barn (Revised application) – App/Con

EPF/1953/07 - Grade II listed building application for the erection of a single storey utility wing to barn. (Revised application) – App/Con

EPF/0692/09 Grade II listed building consent for the enlargement of existing windows in gable of barn. This involves the creation of two windows in the place of one on both gable ends with shutter detailing. App/Con

EPF/1882/11 Conversion of existing cottage and stable to hotel accommodation - Approved

SUMMARY OF REPRESENTATIONS

A site notice was erected and the Listed Building Application was advertised in the Local Press..

PARISH COUNCIL – No Objection **subject to approval by the Listed Building Officer.**

POLICIES APPLIED:

Local Plan and Alterations

HC10 – Works to Listed Buildings

The above policy is in accordance with the NPPF and are therefore to be accorded due weight.

ISSUES AND CONSIDERATIONS:

The only consideration with regard to this application for listed building consent is the impact of the proposal on the character and historic interest of the listed building.

Historic and Architectural Character

The Listed Building advisor from Essex County Council was consulted on the Listed Building Application and has provided the following comments

The application is for works to a 17th century Grade II listed barn which is situated within the grounds of a Grade II listed park and garden.

The proposal is to carry out extensive works to internal and external fabric of the heritage asset in order to facilitate wedding party guests before, during and after the service.

While the heritage statement gives an extensive interpretation of the buildings history and its architectural form it does not fulfil the requirement of Paragraph 128 of the National Planning

Policy Framework which requires applications to describe the significance of any heritage assets affected, including any contribution made by their setting.

Proposed works to the external fabric of the building, particularly the glazed large glazed panel proposed for the gable elevation will remove a significant amount of weatherboarding resulting in an adverse impact on the character of the building. This glazed screen will also have an adverse impact on the setting of adjacent designated heritage assets as well as the setting of the registered park and garden.

Internal works proposed will also impact on the character of the building however it is recognised these works will - for example the insertion of a suspended concrete floor over the remains of the brick floor - retain the historical and architectural fabric.

I suggest the glazed screen proposed for the gable elevation is reduced in size in order to reduce the impact on the character of the building and the setting of the identified designated heritage assets.

In context, I would recommend the application is refused as it fails to meet the following:

Section 66, Para 1 of the Planning (Listed Building and Conservation Areas) Act 1990 which states

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 132 of the NPPF which states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Epping Forest District Combined Local Plan (1998 & Local Plan Alterations (2006) Policy HC 10 – Works to listed buildings which states:

The Council will not give consent for works to the interior or exterior of a listed building which could detract from its historic or architectural character and appearance.

Following this response and given that the principle of the use is considered acceptable, the applicant was advised that an alternate application with a significantly smaller glazed area would likely be considered favourably, however the applicant was unwilling to amend the scheme and asked that it be determined in its present form.

Conclusion

In conclusion it is considered that the proposed works to the listed building, in particular the removal of a significant area of weatherboarding and the insertion of the large glazed screen in the northern elevation will be harmful to the historic and architectural character of the listed building. As such the proposal is contrary to the policies of the NPPF and the Local Plan and Alterations and is recommended for refusal.

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: Jill Shingler
Direct Line Telephone Number: 01992 564106***

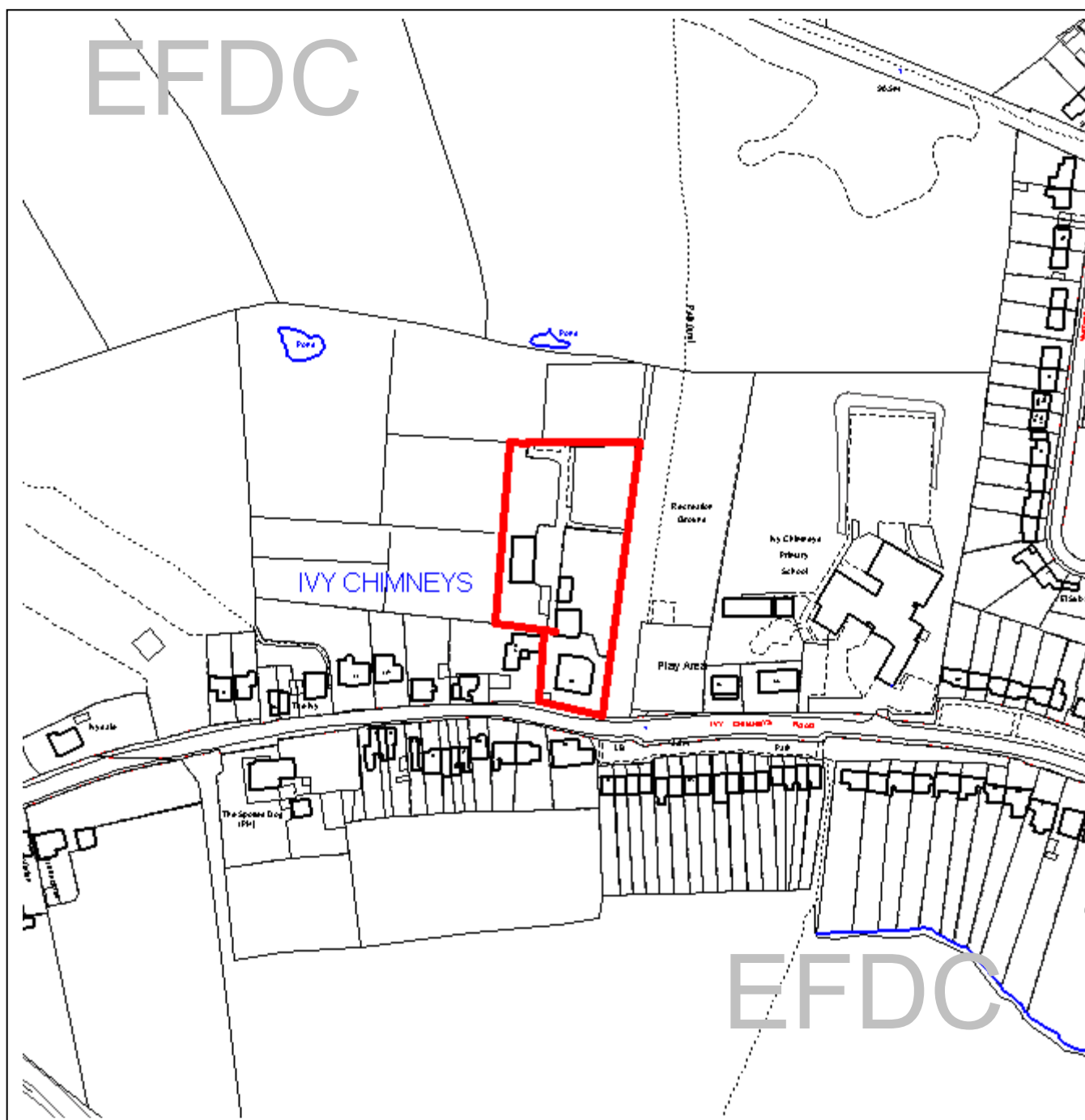
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/2056/14
Site Name:	Broadbanks, Ivy Chimneys Epping, CM16 4EL
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/2056/14
SITE ADDRESS:	Broadbanks Ivy Chimneys Epping Essex CM16 4EL
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Michael Payne
DESCRIPTION OF PROPOSAL:	Outline application with all matters reserved for demolition and removal of stables and hardstandings. Provision of access road with turning head, erection of five detached dwellings with garages and car spaces including ancillary works and landscaping.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567612

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) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) access; and
 - (v) 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 development hereby permitted will be completed strictly in accordance with the approved Location Plan and the existing site plan.
- 4 Prior to first occupation of development the private drive serving the dwellings shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway.
- 5 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.

- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7 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.
- 8 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, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 9 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]
- 10 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]
- 11 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]

- 12 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.
- 13 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.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))

This application was deferred from the last Area Committee to enable Members to visit the site.

Description of Site:

The application site consists of a residential dwelling (Broadbanks, No. 23 Ivy Chimneys Road) and its curtilage along with a 0.39 hectare equestrian site containing stables, barns, a manege and various other areas of hardstanding. The fields beyond and to the west of the site are also within the applicant's ownership.

The application site is located on the northern side of Ivy Chimneys and doglegs around the rear of No. 21a Ivy Chimneys Road. Whilst the existing residential property, which is to remain, is located outside of the Green Belt the equestrian site is located within the designated Metropolitan Green Belt. To the east of the site is a recreational ground with Ivy Chimneys Primary School beyond this.

Description of Proposal:

Outline consent is being sought for the demolition and removal of the stables and hardstanding and the erection of five detached dwellings and garages with all associated works.

Whilst indicative plans have been submitted all matters are reserved and therefore these are purely for illustrative purposes to show how such a scheme could be achieved on the site.

Relevant History:

EPF/1430/85 – Outline application for the erection of a dwelling house with garage in garden of 'Broadbanks' – refused 27/01/86

Policies Applied:

CP1 - Achieving sustainable development objectives
CP2 - Quality of rural and built environment
CP3 - New development
GB2A - Development in the Green Belt
H3A - Housing density
H4A - Dwelling mix
DBE2 - Effect on neighbouring properties
DBE8 - Private amenity space
DBE9 - Loss of amenity
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:

All immediately adjoining neighbouring properties were consulted in compliance with Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. Unfortunately no Site Notice was displayed on site at the beginning of the application process, however a Site Notice was displayed on 28/10/14 requesting comments to be submitted within 14 days of the notice. Any additional comments received as a result of this Site Notice will be verbally reported to Members.

TOWN COUNCIL – Do not object to the principle of the number or type of houses proposed to be built on the land. They are concerned about the access from the proposed development to Ivy Chimneys Road, in particular, whether there will be room for oncoming traffic to pass within the new cul-de-sac that will be created by the proposed development. Ivy Chimneys Road is incredibly busy and road safety and site access are a concern. If the criteria specified by Essex County Council Highways for access within their response can be met then Committee do not object.

EPPING SOCIETY – Object as this is Green Belt and not suitable for development. There are road safety issues with increased traffic emerging into Ivy Chimneys Road.

CITY OF LONDON – Object since the application site is located within the Green Belt and is less than 35m from the edge of Epping Forest. This development is considered to contribute to an undesirable creeping urbanisation of the fringes of the Forest that will have the effect of permanently eroding its environmental quality and damaging its long term amenity and character.

Main Issues and Considerations:

This application is for outline consent with all matters reserved and therefore the only consideration is the principle of erecting five dwellings with garages on this site. Whilst indicative plans have been provided showing an example of two dwellings on the site, these are not actually proposed.

Green Belt:

Whilst located within the Green Belt the site is on the edge of the urban area of Ivy Chimneys, which itself forms part of the larger town of Epping. The erection of buildings within the Green Belt are considered inappropriate development unless they meet one of the exceptions as laid out within the National Planning Policy Framework (NPPF) or where the harm is clearly outweighed by very special circumstances. These exceptions include the following:

- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which 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.*

The definition of previously developed land is laid out within Annex 2 of the NPPF and reads:

Land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

The existing use of the site is for the stabling of horses and associated equestrian purposes. This use has been continuing on site since at least 2005 as recorded by photographs taken by Planning Enforcement as a result of investigations. The site would not fall into any of the exclusions of previously developed land as specified within the definition and therefore this site would constitute brownfield land.

Notwithstanding the above designation of the site, the redevelopment of brownfield land is only considered as an exception from inappropriate development if “*it would not have a greater impact on the openness of the Green Belt*”.

Calculations have been submitted by the applicant stating that the volume of the existing buildings would total 2570m³. Whilst the submitted plans are purely indicative, based on these drawings the proposed dwellings would have a combined volume of 2780m³. Although this indicative volume is higher than the existing buildings, and some of the proposed indicative one-and-a-half storey dwellings would likely be higher than the existing single storey stables, the estimated volume would not be ‘significantly larger’ than the buildings that they replace. Furthermore the proposed development would allow for the removal of the large expanses of hardstanding and the replacement of these with green and landscaped gardens, which would be an improvement to both the openness and character of the Green Belt.

Irrespective of the above estimated volumes, since all matters are reserved a condition could be imposed limiting the proposed housing to 2570m³ to ensure that there would be no increase in volume over the existing buildings.

Due to the above it is considered that the principle of redeveloping this site for five houses would not constitute inappropriate development harmful to the Green Belt.

Sustainability:

There are a number of local facilities within walking distance of the site and adequate public transport facilities. As such it is considered that the proposed reuse of this brownfield land would conform to the 'presumption in favour of sustainable development' as outlined within the NPPF.

Amenity concerns:

Given that the application is for outline consent with all matters reserved the layout and design of the dwellings is to be determined within any subsequent Reserved Matters application. However, given the size of the site five dwellings could easily be positioned and designed to ensure that there is no detrimental loss of amenity to neighbouring properties or between future occupants. Landscaping can also be used to assist in this matter.

The required levels of private amenity space for the proposed dwellings would be dictated by the final size/internal layout of the dwellings, however it is likely that there would be more than sufficient land available to provide adequate private amenity space to the future occupants and the donor property.

Access and Parking:

The parking requirements for the site would depend on the size of the proposed dwellings, however it is likely that the development would require two off-street parking spaces per dwelling plus two visitor parking spaces to serve the entire site. The indicative plans show each dwelling being served by a detached garage with an additional parking space to the front, and there would be adequate space within the site for visitors to park. Notwithstanding the indicative layout, there is adequate space on site to allow for the required parking spaces should the layout change from the indicative plans.

The proposed development would be served by the existing driveway onto Ivy Chimneys. There is no objection from ECC Highways subject to conditions regarding the following:

- The proposed private drive should be to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway. This should not be finished in any form of unbound material to avoid the displacement of loose material onto the highway;
- 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;
- Details showing the means to prevent the discharge of surface water from the development onto the highway shall be approved prior to the commencement of works; and
- Residential Travel Information Pack for sustainable transport should be provided to the future occupants.

The existing access is 5.5m for at least the first 6m from the back edge of the highway and benefits from existing gates set back approximately 8m from the highway. Therefore the proposed development will be able to comply with ECC Highways requirements and as such would not be detrimental to highway safety.

Other Concerns:

Given that the site lies within the town of Epping, which constitutes a settlement with a population greater than 3,000, no affordable housing provision would be required for the proposed development.

Due to the site's current use as a stable yard there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as particularly sensitive uses contaminated land investigations and, where required, remediation will be necessary. This can be dealt with by way of conditions.

The Conservators of Epping Forest (City of London) have objected to the proposal since they consider that the development would contribute to "*an undesirable creeping urbanisation of the fringes of the Forest that will have the effect of permanently eroding its environmental quality and damaging its long term amenity and character*". The edge of Epping Forest is some 35m from the application site which itself is located on the edge of Ivy Chimneys/Epping. The application site currently contains a number of stables and other equestrian buildings and does not provide any form of 'open edge' to the surrounding town. Furthermore, since the site constitutes previously developed (brownfield) land to the north of Ivy Chimneys that is effectively located between the built up town of Epping and the linked built up village of Ivy Chimneys, the redevelopment of the site would not result in creeping urbanisation nor would it erode or damage the amenity and character of the Forest.

Conclusion

The introduction of the NPPF and subsequent exceptions to inappropriate development enables the principle of developing this brownfield site and, given the similar volume between the existing building and the proposed indicative dwellings, the proposed redevelopment would not result in any greater harm to the openness of the Green Belt. Whilst the application is only for outline consent with all matters reserved, given the size of the site there would be scope to erect five dwellings with adequate parking and amenity space without any detrimental impact on neighbour's amenities. Furthermore, the existing access meets the requirements of Essex County Council Highways. As such the principle of this development complies with the relevant Local Plan policies and outline consent 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



Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/2124/14
Site Name:	Allotment Ground to rear of 1-7 Rodney Road, 2-22 Fairfield Road and 2-6 Glebe Road, Ongar, CM5 9HJ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2124/14
SITE ADDRESS:	Allotment Ground to rear of 1-7 Rodney Road, 2-22 Fairfield Road and 2-6 Glebe Road Ongar Essex CM5 9HJ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr David Kaktovics
DESCRIPTION OF PROPOSAL:	Proposed 2 new four bedroom detached houses, with associated parking and gardens with access from Rodney Road (Revised application to EPF/2571/13)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567914

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:
MP/RR/01
1399x03C
1399/05B
1399/06B
1399/07A
- 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 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 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 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 7 Any site clearance work should be undertaken between October and February inclusive so as to avoid bird breeding season. In addition Brown Long Eared bats and Pipistrelle bats are active in Ongar. These animals are protected species. Should any bats or roosts be encountered during site clearance than works should cease immediately until a qualified licenced person has assessed the situation and provided a way forward.
- 8 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.
- 9 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]
- 10 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]

- 11 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]
- 12 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.
- 13 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.
- 14 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, approved by the Local Planning Authority.
- 15 The proposed development shall not be occupied until such time as the vehicle parking and turning area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays and retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

- 16 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.
- 17 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.
- 18 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 Class A or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee 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)) and 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).)

This application was deferred from the last Area Committee to enable Members to visit the site.

Description of site

The application site is a largely vacant allotment area to the rear of Rodney Road, Fairfield Road and Glebe Road.

The application site backs onto a number of neighbouring properties, uses part of the area designated as allotments. The site is accessed alongside 1 Rodney Road, a slim carriageway area 3.7m wide. The remainder of the allotment area appears to be in private ownership as garden areas.

The surrounding development is characterised by two storey properties, generally semi-detached pairs that front the highway.

The site is presently screened from the surrounding area by mature tree screens many of which are coniferous.

Description of proposal

The proposal seeks planning permission for 2 new detached dwellings, each with four bedrooms and two parking spaces, with a turning head.

This is a resubmission following a refusal for four dwellings on site earlier this year.

Representations Received

45 neighbouring properties were notified and a site notice was erected in four locations in the streets surrounding the site.

14 Responses have been received as follows:

12, 14 GLEBE ROAD

8, 10, 14, 20, 22, 26, 28 FAIRFIELD ROAD

1, 3, 4, 15, 29 RODNEY ROAD

Strong objections received included: Objections to the proposed access, being narrow of inadequate width to allow two cars to pass and having poor sight lines at the entrance, causing dangerous and difficult access and issues with pedestrian safety. Also concerns with access for construction and emergency vehicles and means of maintenance of services in road after occupation as this would block access. Objection to increased traffic associated with the construction and occupancy of the new dwellings. Concern that whilst the parking meets policy standards, this is still not sufficient for family needs and visitor parking is inadequate and blocks access to site beyond. Also parked cars may result in fumes invading neighbouring gardens and there is a right of access through the site alleged by a neighbour.

Issues raised also include loss of outlook, overlooking, interlooking to the rear of other properties, namely number 10 Fairfield Road, loss of light to neighbouring properties, the overbearing impact of the proposed new dwellings that would be out of character with the area and security issues arising from the removal of landscaping.

Objections on flooding and drainage, loss of wildlife habitat and green space, refuse collection, potential light pollution, covenants on the land, property value and the Human Rights Act have also been raised.

ONGAR TOWN COUNCIL:

Objected to the original application for this site principally because of the serious concerns members felt about road safety, parking, access and emergency access together with land drainage and sewerage problems which are known to be considerable in this area. The Town Council notes the responses of agencies concerned with these matters, but is not re-assured. It is not felt by the Town Council that the revised design and layout of the development materially reduces the likely impact on the road safety, drainage and sewerage deficits that nearby residents already endure and which will be exacerbated if this development is permitted. The Town Council feel that the assessment by the Highway Authority is inadequate and have taken the unusual step as requesting that it be reconsidered in the light of local experience and the difficulty of accessing the development site by a narrow entry at right angles to the highway. The Town Council has received representations from residents about other matters including massing, overlooking, wildlife and denial of light. These are matters which this Council is sure the planning officers will assess carefully, and bases its decision to object most strongly to this application on the safety,

parking, sewerage and drainage issues which are all of considerable concern to the local community.

In the event of permission being granted for this development Ongar Town Council would ask that the wildlife protection condition proposed by Countrycare be extended to include reptiles and amphibians which are known to be present in the area. The Council is also concerned about waste collection and would like an assurance that if permission is granted the collection point will not be at the junction of the access road and Rodney Road.

Relevant History

EPF/2571/13 – 4 New semi-detached houses made up of 3x3-bedroom houses with garages and 1x2-bedroom house – Refused.

Policies Applied

CP1 – Achieving Sustainability Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE4 – Design in the Green Belt
DBE6 – Parking for new residential developments
DBE8 – Private Amenity Space
DBE9 – Neighbouring Amenity
LL1 – Rural Landscape
LL2 – Inappropriate Rural Development
LL3 – Edge of Settlement Development
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H3A – Housing Density
H4A – Dwelling Mix
H6A – Site Thresholds for Affordable Housing
RST13 – Allotment provision protection

Issues and Considerations

The main issues to be considered in this application are the principle/location of development, design and layout of the proposals, impact to neighbouring properties, parking and amenity provision for potential occupiers.

In addition particular emphasis must be given to the reasons for refusal of the previous scheme, as follows;

1) The proposed 4 dwellings represent an unacceptably cramped, overdevelopment of the site, with inadequate setting provided for the new buildings contrary to policies CP3, CP7, DBE1, DBE2, DBE3 and DBE9 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

2) The proposed new properties by way of their scale and proximity to the site boundaries and loss of landscaping, would appear dominant and overbearing when viewed from the rear and garden areas of neighbouring properties. In particular

numbers 3 and 5 Rodney Road and 18 and 20 Fairfield Road. The proposals would result in a significant loss of outlook to these properties to the detriment of amenity and contrary to policies DBE2 and DBE9 of the Adopted Local Plan and alterations and the aims and objectives of the NPPF.

3) The proposed development fails to make adequate provision for the retention of landscaping, namely the group vegetation to the rear of properties in Rodney Road, the group of vegetation to the rear of Fairfield Road, the group of vegetation to the rear of Glebe Road and the Silver Birch identified as T2. The result being an unacceptable loss of screening and landscaping contrary to policies LL10 and LL11 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

4) The proposed garden area for unit 1 is of insufficient size and nature to enable reasonable use, contrary to policy DBE8 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

Principle of Development

The proposed site is registered as allotments and is situated outside of the Green Belt. In the urban area previously undeveloped land rarely comes forward, however, in principle, development is acceptable and new housing in an urban area is generally encouraged due to the good access to facilities and services.

The allotments have clearly been subdivided into a number of ownerships and some areas are clearly being used as private gardens/allotments in association with adjacent properties. The allotments were assessed as part of the evidence base for the next Local Plan (The Open Spaces, Sport and Recreation Assessment, 2012) and the site was considered in the allotment provision for the local area. Ongar was identified as having 4 allotment sites (one of which was in High Ongar) and the quantity of allotment provision was identified as being higher than that in the District than comparable Districts, however accessibility was a recognised issue in need of improvement. Therefore the loss of allotments, particularly when they are not clearly in current use, does not in itself raise a concern with others available locally.

Policy RST13 seeks to retain allotment provision, however in light of the above recent appraisal, where allotments are not in active use, their loss in favour of much needed housing in the District and in the context of the presumption in favour of development introduced by the NPPF, the loss of the proposed allotment sites is not unacceptable with other allotments available locally.

A number of neighbouring properties have raised comments regarding the loss of local green space and regarding restrictive covenants on the land. Planning can not consider covenants as these fall outside of the powers provided by the Town and Country Planning Act and instead are enforceable under separate law. The allotment areas are not considered by policy to make provision towards urban green space. Allotments provide an outlook but do not make a meaningful contribution towards amenity provision for recreation in the same manner as for instance a playing field or public green.

Design and Layout

The application site does not comprise the entirety of the allotment area. Some of the remaining allotment areas are clearly in ownership by adjacent properties and are being used as a garden, however not all sites have a clear property associated with them. In these instances it is possible the only access is via that proposed as part of the application. Should this be the case and the application be permitted, access has been retained in part as part of this revised scheme behind the visitor parking. Whilst it is not a policy requirement to provide this access, it is good practice. Future access would however require agreement from the future property owners and revision of boundaries, but the revised layout would permit access between buildings.

A neighbouring property has commented regarding a right of access over the application site in covenants. Covenants imposed on a Title Deed for a property would be enforced by the parties which entered into the agreement. Such agreements are private matters and not for planning or indeed the Council to consider.

In respect of the particulars of the layout, the revised scheme has been reduced to provide a lesser number of units from that previously considered. Two properties, whilst larger, sit better in the plot, have improved frontage and access arrangements and would more comfortably suit the site layout. Concerns have been raised as the properties have a gabled roof. The ridge of the properties would run front to back, resulting in a roof that hips away from neighbouring properties. The two new dwellings would be located off a private driveway, viewed in a separate context to the properties on the surrounding streets. A gabled roof design is not unacceptable and would not have a significant impact on street scene in the surrounding area.

The revised design now permits adequate garden areas for each property, provides new landscaping and has improved the position of the footprints of the buildings in relation to the site boundaries.

Mindful of the above, Officers are satisfied reasons for refusal 1, 3 and 5 of the previous refusal have been overcome.

Impact to neighbouring properties

The application site backs onto a number of neighbouring properties in the surrounding streets, predominantly Rodney Road, Fairfield Road and Glebe Road. The proposals would result in new buildings in the rear garden, which would result in a change to view, however seeks to prevent significant impacts from loss of outlook or amenity rather than views.

The revised scheme has offset the properties significantly from the site boundaries. To the rear of Rodney Road, the side elevation of plot 1 would be offset by 5.6m from the boundary and plot 2 would be offset by 7.9m from the rear of properties in Fairfield Road. The result being separation distances of more than 20m to the side walls of the new dwellings from the rear elevation of neighbouring properties. Lesser side to rear distances are commonplace in the District. For comparison the side elevation of number 2 Glebe Road is separated by 16m from the rear of number 28 Fairfield Road. Officers are satisfied that this relationship is acceptable, particularly as the first floor side windows serve only bathroom and landing areas and the roofline has been designed to hip away from the neighbouring properties.

Concerns regarding interlooking are thus noted, but unfounded, back to back properties commonly exist and whilst the back-to-back relationship will be new to existing residents, the extent of overlooking will be minimal and comparable to other residential areas, but in this instance, with the benefit of extensive mature landscaping.

Parking and amenity provision

The proposed properties make sufficient provision for parking and access. Essex County Council Highways officers have considered the scheme and have no objections but have requested conditions. They are satisfied with the width of the access and that it meets adopted policies. Despite not being sufficiently wide for 2 vehicles to pass, it is straight and allows good visibility along its length.

The previous application for 4 dwellings was also considered acceptable in highway terms and there was no highway reason for refusal. It should also be borne in mind that it can lawfully be used for access to allotments with potentially significant traffic movement.

Emergency services have been consulted and the fire and rescue service has no objections.

Landscaping

The proposals suggest the retention of boundary landscaping and have now revised the layout to ensure this is possible. New planting is also proposed in locations where this would be visible from the public areas of the driveway and access. The Council's Tree Officer is satisfied with the revised proposals subject to conditions.

Other matters

Water providers have been notified and there are no infrastructure objections in respect of supply or foul drainage. In terms of flooding, no concerns are raised by Land Drainage subject to submission of details regarding surface water run off.

The site may be contaminated, therefore conditions are requested.

The proposals are beneath the threshold for affordable housing, thus none is required.

In respect of biodiversity, Country Care has considered the site and the proposals and raises no objections subject to conditions.

Construction concerns are noted, and whilst disruptive, construction is possible and hours of use and access could be mitigated by condition. Issues raised regarding covenants, private agreements for right of way, property value and security arising from loss of boundary treatments are all beyond planning control.

Refuse storage is proposed at the boundary of each property and it has been confirmed that as this is a private drive refuse will be collected from here without the need for lorry access.

Conclusion

The revised scheme is now considered acceptable having overcome the previous reasons for refusal without the introduction of new issues, therefore approval is recommended.

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: Jenny Cordell
Direct Line Telephone Number: (01992) 564481***

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



The map shows the site area with the proposed development area outlined in red. The River Ure flows through the site. Various buildings are shown, including The Butcherhouse, Brook House, The Old Lodge, and The New Lodge. The proposed access road is shown as a dashed line. The map is overlaid with the EFDC logo.

Application Number:	EPF/1875/14
Site Name:	Brook House Farm Barn, Epping Lane, Stapleford Tawney, RM4 1ST
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/1875/14
SITE ADDRESS:	Brook House Farm Barn Epping Lane Stapleford Tawney Romford Essex RM4 1ST
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Alex Parker
DESCRIPTION OF PROPOSAL:	Erection of private stables and formation of path and hardstanding (Revised application to EPF/2075/13)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=566755

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 building hereby approved shall only be used for the domestic stabling of horses in connection with the adjoining dwelling at Brook House Farm Barn, and it shall not be used for any other use, including use as a commercial livery.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings numbers 1A, 2A, 3A, 4A, and a site plan showing the application site outlined in red and adjoining land, owned by the applicant, outlined in blue.

This application is before this Committee 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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is located on the southern side of Epping Lane, opposite dwellings at Brook House, The Barn, and the entrance to The Bakehouse. It comprises a field of 2.89 acres which is separated from the road by the applicant's converted barn dwelling and associated residential curtilage.

Description of Proposal:

Erection of private stables, and formation of path and hardstanding. (revised application to EPF/2075/13)

Relevant History:

EPF/2075/13 – Refusal of a private stables and log store proposed within the residential curtilage of the site – on grounds of adverse effect on the outlook of properties on the opposite side of the road, particularly The Barn. A subsequent appeal was dismissed - not on grounds of reduction of outlook of nearby dwellings but on grounds that the proposed building was not small scale and constituted inappropriate development.

Policies Applied:

GB2A Development in the Green Belt
RST4 Horse keeping
RST5 Stables
DBE4 Design in the Green Belt
DBE9 Loss of amenity
LL2 Inappropriate rural development

Policy GB2A is generally compliant with the National Planning Policy Framework, and policies RST4, RST5, DBE4 and DBE9 are compliant,

Consultation Carried Out and Summary of Representations Received

THEYDON MOUNT PARISH COUCNIL – the Parish Council do not object in principle to the provision of stables on this site. This resubmission does not address our previous concerns of overdevelopment however. We consider the meagre reduction in size as now proposed insignificant and therefore object to the proposal.

Neighbours - 3 properties consulted and no replies received.

Issues and Considerations:

The proposed stables building is now proposed in a more recessed position 20m from the road – and just inside the field to the immediate south of the residential curtilage of Brook House Farm Barn. It will also be partly screened from view by trees some of which have been recently planted. As a result the proposed stables building will be much less visible from properties on the opposite side of the road, and it is noted that residents of these properties - who objected to the previous proposal – have not raised any concerns with this revised proposal.

In terms of the size of the building it has been reduced in length by 1.15m compared to the previous proposal and it now measures 17.35m in length by 5.5m in width, with a height to eaves of 2.45m, and height to ridge of 4m. It will contain two looseboxes, a hay barn and tack room, and shelter, and will be used in connection with applicant's keeping of miniature ponies in the field adjoining his dwelling. Although the reduction in size of the building is quite small the proposed stables are modest in size and appropriate for domestic horse keeping and not dissimilar to many developments that this Council has approved. Moreover, the keeping of horses is an appropriate use of land within the Green Belt, and the proposed stable is considered to be an acceptable small scale building to be used in this connection and therefore appropriate within the Green Belt. As mentioned above, the stable building will also be well screened from view from the road, and its impact on openness will be less than the previously refused proposal. In this context the concerns of the Parish Council over the size of the building are not shared.

The proposed stables will be clad in appropriate materials consisting of clay pantiles for the roof, feather edged boarding and stock brick for the walls and plinth. It will have an acceptable appearance. The size of the field in which the stables are to be located is a large one and provides an acceptable area for grazing and exercise and the proposal is not therefore overdevelopment.

A condition is also proposed requiring the building to be used for domestic stabling purposes only in connection with the applicant's dwelling at the adjoining Brook House Farm Barn.

Conclusions

The stable building is now proposed in a more recessed and well screened position away from Epping Lane and the dwellings lying opposite. It has also been reduced in size and is considered an acceptable size for a building connected with the keeping of horses - which is an appropriate use of land in the Green Belt. The proposal therefore complies with relevant policies and conditional approval is recommended.

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:

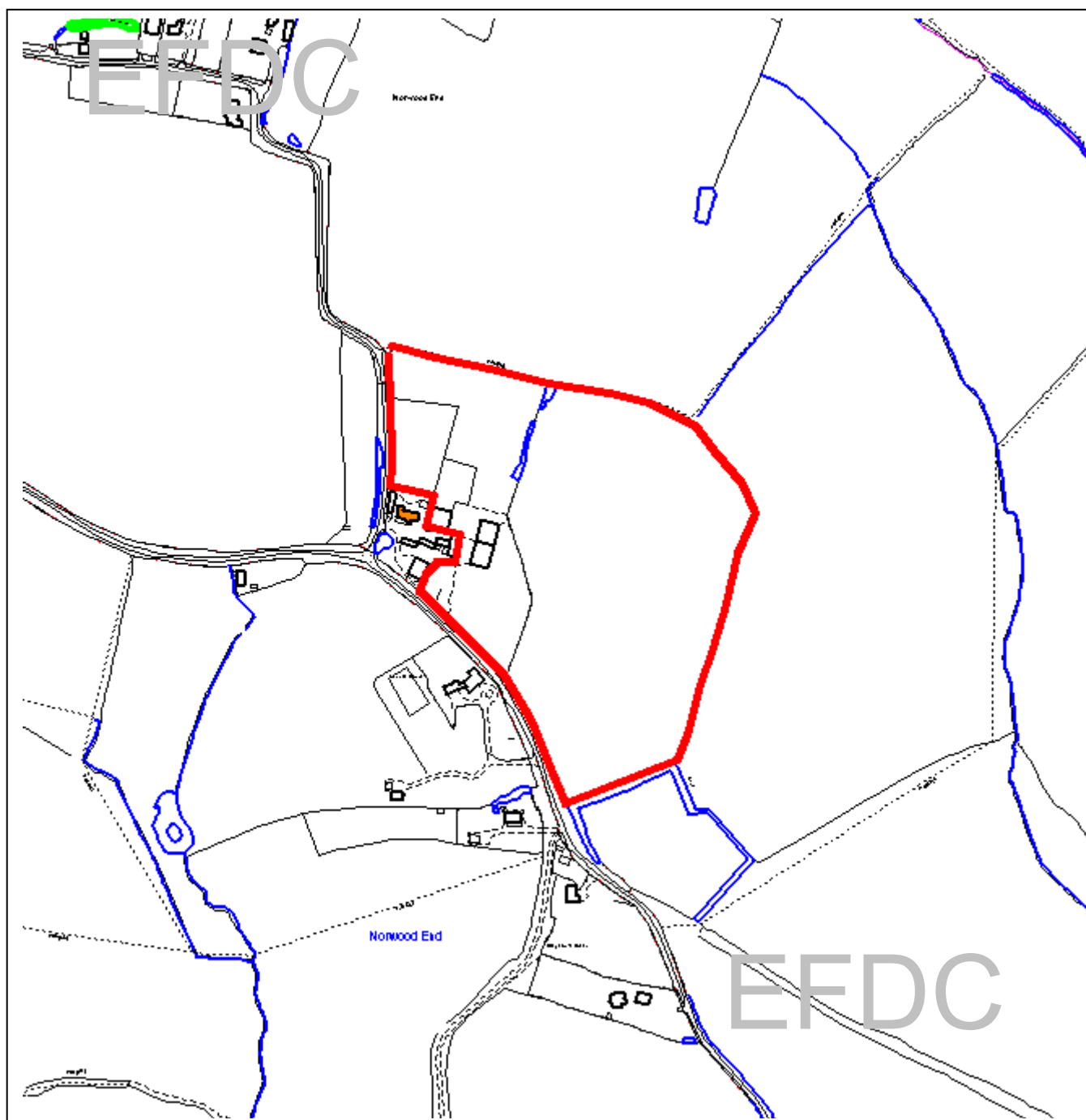
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/1910/14
Site Name:	Dame Annys Farm, Norwood End Fyfield, CM5 0RW
Scale of Plot:	1/5000

Report Item No: 6

APPLICATION No:	EPF/1910/14
SITE ADDRESS:	Dame Annys Farm Norwood End Fyfield Essex CM5 0RW
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr Toby Power
DESCRIPTION OF PROPOSAL:	Change of use of agricultural building for horse stabling, a horse walker, and change of use of agricultural land for the keeping of horses.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=566935

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 stables shall not be occupied until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the submission of the details approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 3 The use hereby approved shall be for an equestrian training facility as described in the supporting information submitted with the application only and not for any other use including livery or as a riding school..
- 4 No external lighting shall be installed at the stables, horse walker or ménage without the prior written approval of the Local Planning Authority.
- 5 No more than 13 horses are to be kept on site at any one time.

This application is before this Committee since it is an application for non householder development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Site:

The application site is situated within the Metropolitan Green Belt, on the northern side of Norwood End towards the upper reaches of the lane which is a long single track into the countryside. Norwood End is a dead end surrounded by countryside with a number of detached, largely isolated properties along its length.

Dame Anny's Farm is a reasonable sized farm comprising a number of fields, ponds and ancillary structures which are concentrated around the farm house.

A horse walker and ménage exist on the site, approved under a previous application however neither appear to have been fully implemented as the inner mesh has not been fitted into the walker and ménage currently consists of just posts and hardcore where the top surface would be.

Description of Proposal:

Planning consent is being sought for the change of use of agricultural building for horse stabling, a horse walker and change of use of agricultural land for the keeping of horses. The use would also retain the existing approved ménage area.

According to information submitted with the application, the use would be for one tenant, to provide facilities for training of horses, training of competition horses, breaking of young stock, as well as a small scale breeding programme to provide equestrian horses for the owner.

The 18 acres of grassland will be used for the grazing of horses and cutting of grass for hay with the wider 100 acres of arable land producing the straw to supply this facility. Therefore there will be no deliveries of feed and bedding.

The applicant has a preferred tenant in mind and he will be the sole owner of the horses at the site. The tenant states that he is confident of creating at least 2 full time jobs and a possible apprentice vacancy.

Relevant History:

AGR/EPF/0988/00 – Agricultural Determination for erection of a steel framed building – Permission not required

EPF/0682/04 – Extension to existing agricultural building for the storage of hay and straw – Approved

EPF/1785/07 – Proposed ménage – Withdrawn

EPF/2072/07 – Certificate of lawfulness for existing use of buildings as livery use, land for associated parking and grazing – Withdrawn

EPF/0241/08 – Certificate of lawfulness for existing use of buildings as livery use, land for associated parking and grazing – Not lawful
EPF/1189/08 – Certificate of lawfulness for existing use of stables 1 and 2 for livery of up to 7 horses – Not lawful
EPF/0979/09 - Change of use of stables A and B from ancillary domestic stabling to private non-residing horse keeping and retention of ménage with associated hard and soft landscaping, for use by landowner only - Approved

Policies Applied:

Epping Forest District Local Plan and Alterations

GB2A – Development in the Green Belt

RST4 – Horse Keeping

RST5 – Stables

DBE1 – Design of New Buildings

DBE9 – Loss of Amenity

LL1 – Rural Landscape

ST1 – Location of development

ST4 – Road Safety

ST6 – Vehicle Parking

National Planning Policy Framework 2012

Consultation Carried Out and Summary of Representations received:

FYFIELD PARISH COUNCIL - No response received

ESSEX COUNTY COUNCIL HIGHWAYS – No objection - The above proposal will generate less, or at the very worst case be comparable to, the existing agricultural use in terms of traffic generation. It will also have the added benefit of removing larger vehicles off of the roads that would normally be associated with a working farm. Consequently the proposal will not be detrimental to highway safety or efficiency at this location.

LAND DRAINAGE - The site does not lie within an Epping Forest District Council flood risk assessment zone. The site does not lie within any Environment Agency (EA) Floodzones; therefore consultation with the EA is not required.

6 neighbouring occupiers object to the proposal on the following grounds

LEE FARM – Object on the grounds that the business will incur a sharp increase in vehicle movements; there will have to be staff on site daily; if the business was successful these horses would need to be dropped off and picked up regularly in addition to farm vehicles for cultivation of hay and straw; Norwood End suffers from road surface damage including potholes and an increase of this scale would be disastrous; the proposal is not sustainable

RIDGE HOUSE – object on the grounds of the increase in traffic up a very narrow single track road; smell from horse manure would increase

ADDRESS NOT KNOWN – object on the grounds that the lane is narrow with few pull ins; lane is badly maintained with potholes; increase in traffic; no way of policing riders using the bridleways and byways and not the roads; would ruin the area and set a precedent.

NORWOOD END HOUSE – object on the grounds that there would be an immeasurable increase in daily traffic and the single track lane cannot cope with the amount of extra traffic of horse boxes; yard entrance not adequate to cope with the extra vehicles and another parking area will be needed; road only has a few passing spaces and very narrow verges with deep ditches and the

business will impact on residents daily lives by trying to negotiate the extra larger vehicles and horse riders; cannot see that it would be just weekend traffic; it is the first step towards starting a business.

ADDRESS NOT KNOWN – object on the grounds whether two full time staff will be exercising all the horses at the site; there are a number of horses already in-situ at the farm with associated traffic; the proposed additional traffic should not be considered in isolation but rather as part of the whole.

The biggest traffic challenge in Norwood End is presented by vehicles that cannot easily reverse or use passing places. It is already quite common to be expected to reverse up to a quarter of a mile in order to allow a vehicle with trailer to pass by; An additional consideration is the rapidly deteriorating road surface in Norwood End. The potholes are difficult to avoid and some are over 30cm deep, near impossible to see when surface water hides them; In addition to the traffic movements of staff, visitors and customers, I think it is very likely that bulk goods will need to be delivered from time to time, I think it highly unlikely that the enterprise will be self-sufficient in terms of feed & bedding

BON – AIRE – object on the grounds that this application is that it will mean that the stables are used by horse owners who do not live in Norwood End and we will have an enormous amount of heavy traffic. I gather the proposed users are going to be a riding school from Mill Lane, High Ongar; narrow lane with minimal passing places and the amount of traffic that has increased in recent year; deep potholes and road lifted from flooding; the accident risk will increase, not to mention having to deal with people on horseback.; there are only two by-ways the horses can use at each end of the lane; this is a business venture which is totally detrimental to the area; other stables in area more suitable; Norwood End copes due to lack of businesses in area; application is about profit and will cause tremendous problems.

1 neighbouring occupier has commented on the application:

HIGH ACRE – comment - I cannot see any reason to object to the proposed change of use of Dame Annys other than if it created significant additional traffic on the lane.

Additional horses on the lane would hopefully have the effect of making lane users more courteous than they can be on occasion at present. Additional vehicular traffic on the lane could be a problem as the lane is very narrow and poorly maintained. My concern is that the facility may become a livery yard under another guise with the regular visitors that go with such a facility. Provided the training yard does not become a livery yard, then I have no objection to the proposed change of use.

3 neighbouring occupiers support the application:

CORBETTS HOUSE – support – would like to convey my satisfaction of the application and have no objection

CORBETTS COTTAGE – support – would like to give my full support to the application.

MILLERS FARM – support – fully understand the nature of the application and are in full support – believe it will enhance the characteristics of the lane.

Issues and Considerations:

The main issues that arise with this application are considered to be the appropriateness of the retention of the stable and ménage and walker for non-residing use in the Green Belt, the design, layout and appearance, access and highway issues and potential impact upon neighbouring properties.

Background

Permission was granted in August 2009 for change of use of stables A and B from ancillary domestic stabling to private non-residing horse keeping and retention of ménage with associated hard and soft landscaping, for use by landowner only.

This application seeks to effectively change the use of one of the other agricultural buildings on the site to a stable which would consist of 13 stalls.

Green Belt

This application may be considered acceptable under policy GB2A for the purposes of outdoor participatory sport and recreation or associated essential small scale buildings. Furthermore the application is for the retention of existing structures and those which have been significantly completed. In respect of the stable building, it appears to have been in situ a number of years.

The proposal is therefore considered to comply with policy GB2A of the adopted Local Plan (1998) and Alterations (2006).

Design, Layout and Appearance

The existing building is a traditional utilitarian agricultural building constructed of block work and corrugated sheeting. The design and appearance of the stable building is in keeping with the appearance of the ancillary farm buildings and does not appear out of context on the site.

The horse walker is a steel framed exercise area with walls some 2.1m in height. This structure is in a relatively open area to the rear of the existing farmhouse and ancillary buildings. Notwithstanding the prominence of the position of the structure and scale, large structures associated with farm works are not unusual in this area and the ménage and exercise areas will be viewed in the context of the other buildings and have already been considered acceptable under the previously approved application.

Although the submitted Design and Access statement points out that in terms of landscaping, nothing will be changed and the existing will remain as present, however the submitted drawing annotates that new landscaping would be proposed to act as a buffer between the farm and horse walker and ménage.

Given that a landscaping condition was attached to the previous permission (EPF/0979/09), discharged yet not implemented and this application seeks to retain the walker and ménage it is considered that a similar condition can be attached to a permission here, if granted.

The proposal is therefore considered to comply with policies DBE1 and LL1 of the adopted Local Plan (1998) and Alterations (2006).

Horsekeeping

The proposed stable building and grazing areas meet the objectives of horsekeeping policies as follows:

RST4: Horsekeeping

- The proposed stable and proposed ménage, subject to landscaping, would not have a significant adverse impact on the character and appearance of the landscape.
- The amount of horse riding would not lead to excessive highway danger with no objection from Highways.
- The amount of horse riding would not have significant adverse impact on the management, ecology of public use of open spaces and rights of way. The proposals are based on private land.
- The amount of land is adequate for the welfare of the number of horses intended to use it.
- Appropriate fencing is already in place with horses historically kept onsite.

RST 5: Stables

- The stable building is of a reasonable size and not excessive in scale.
- As considered below, the proposals would not result in excessive highway danger.
- As considered below, the amount of horse riding would not have significant adverse impacts to ecology or public use of rights of way and public open space.
- The site has sufficient surface for the parking and turning of vehicles within the site.
- The only potential additional traffic would arise from the additional staff traffic movements morning and evening and some sporadic vehicular activity when transporting horses, however the proposed tenant does not consider this to be more than one per day and rarely be during any time of the morning school run or evening busy periods.
- In addition, vehicular activity for customers would be limited and mainly at weekends and even then limited to 2 or 3 per day, according to the tenant.

The proposal is therefore considered to comply with policies RST4 and RST5 of the adopted Local Plan (1998) and Alterations (2006).

Highway Matters

Norwood End is a single track, long road with occasional passing points. The road is used by farm traffic, horse boxes associated with the stables when the owner was in occupation onsite and residents/visitors. Highways have raised no objection to the proposals stating that the previous agricultural use would have generated more traffic, or at the very worst be comparable to the amount of traffic that use would have generated. They also consider that it would have the added benefit of removing larger vehicles off the roads that would normally be associated with a working farm.

Whilst concern has been raised regarding riding on the road, the applicant has sufficient land on which to exercise the horses, this when considered with the ménage facility and local paths and tracks is considered to offer suitable alternatives for riders, however horses riding in rural areas is not uncommon and Norwood End is not suited to fast moving traffic with a poor surface and slow moving farm vehicles commonplace.

In response to objectors concerned about additional traffic movements, the applicant has submitted information relating to the proposed use and on this basis it is not considered that this would result in a material increase in traffic over and above an agricultural use or the approved use in 2009.

The existing stables forming part of the approved use can only be used by the landowner only thus restricting the amount of traffic associated with horses here.

In relation to the proposal being a livery, a condition can be attached to a permission restricting the use of the site to that proposed which would restrict the amount of potential traffic.

With regards to parking on site, there are two large areas one close to the road and one further into the site adjacent to the horse walker. No objections have been raised by County Highways regarding parking provision.

In terms of hay for feed and bedding, the applicant states that the existing land would provide sufficient straw for the horses as not to be reliant on outside sources which would increase traffic movements.

The proposal is therefore considered to comply with policies ST4 and ST6 of the adopted Local Plan (1998) and Alterations (2006).

Impact on Neighbours

The site is well separated from neighbours and as such the retention of the existing and partially constructed facilities is not considered to impact unacceptably on neighbouring properties.

Issues relating to dog walking and horse exercising appear to raise conflicts but this would not appear directly related to the non-residing use or neighbouring amenity.

With regards to the smell of horse manure as raised by an objector, this would not normally be controlled by way of a planning condition but if this became a persistent nuisance then the issue could be considered under Environmental Health legislation.

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

Conclusion:

The proposed development comprises an acceptable use within the Green Belt, with an acceptable siting, design and appearance. The proposed retention of the facilities for non-residing use do not raise any additional concerns in respect of neighbouring amenity or highways issues over and above the approved use, therefore with no demonstrable additional harm Officers recommend 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:

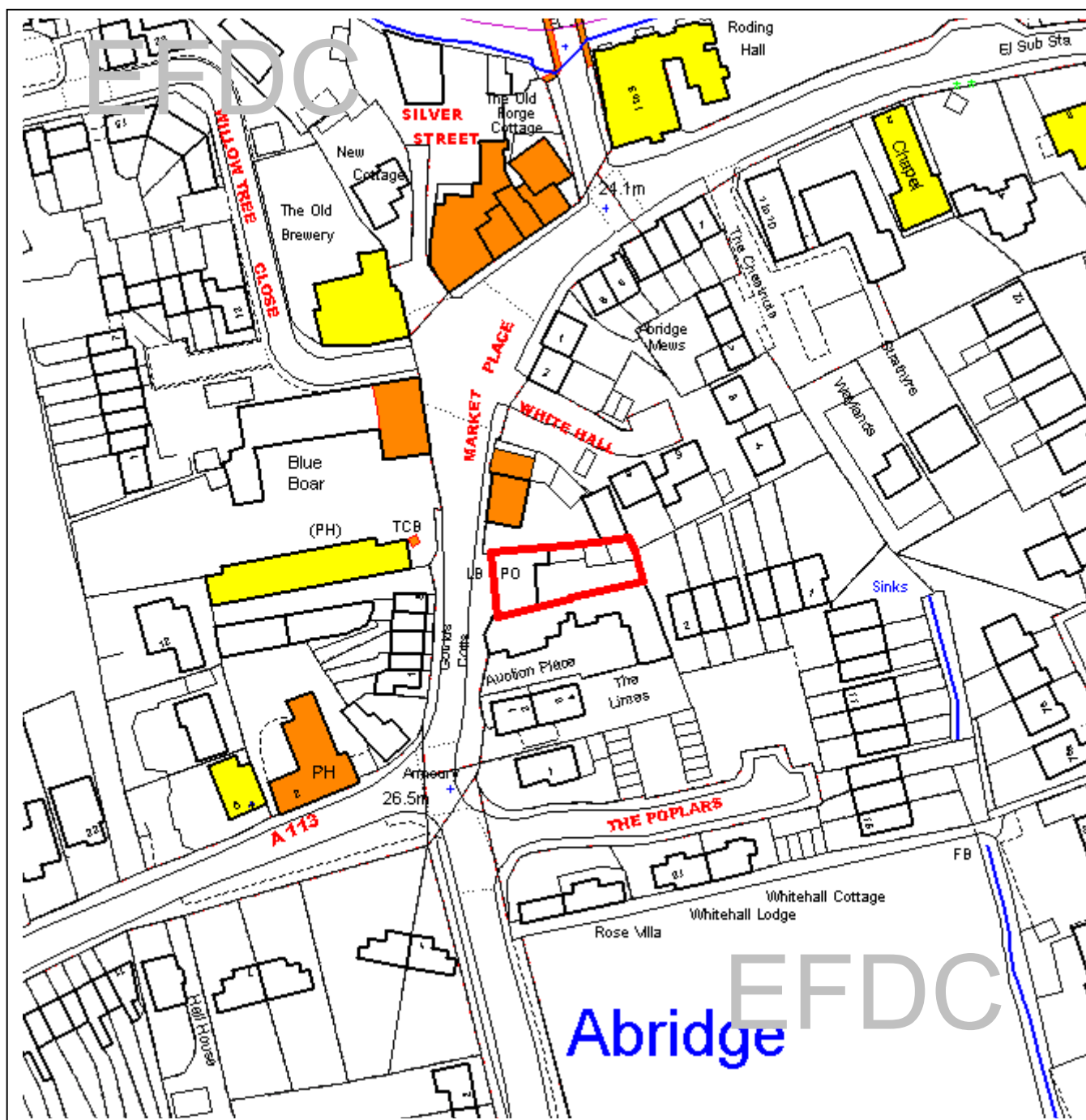
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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



Epping Forest District Council

AGENDA ITEM NUMBER 7



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Application Number:	EPF/2006/14
Site Name:	The Retreat, Market Place Abridge, RM4 1UA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2006/14
SITE ADDRESS:	The Retreat Market Place Abridge Romford Essex RM4 1UA
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr P Duncan
DESCRIPTION OF PROPOSAL:	Demolition of existing building and the erection of 4 x 2 bed & 1 x 1 bed apartments.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567376

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:
253-EX-01
253-EX-02
253-PL-01
253-PL-02
253-PL-03
253-PL-04
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 4 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.
- 5 No development shall take place until details of foul and 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.

- 6 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.
- 7 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, approved by Essex County Council.
- 8 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.

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))

Description of site

The site is known as The Retreat, Market Place Abridge, a two storey feather-boarded building built immediately onto the street close to the junction between Market Place and London Road. The building is two storey to the front with a small rear projection at first floor. At ground floor existing structures extend along most of the northern boundary.

The property is within the Abridge Conservation Area, adjacent to a grade II* listed building but is not listed itself. It dates from the mid-19th century when it was used as one of several 'retreats' within the Epping Forest area. It was known as Riggs Retreat, as it was one of a group of retreats owned by the Riggs family (others being located in Chingford, High Beach, and Theydon Bois), and served refreshments to visitors to the forest. More recently the building was used as the village Post Office before being incorporated into a residential unit onsite.

The site is not in the flood plain and is within the designated village area, outside of the Green Belt. The building has been vacant a number of years following a previous grant of permission, it is alleged for financial reasons.

Description of Proposal:

The application seeks permission to demolish the existing building and erect in its place a structure that would visually reflect the existing property, with similar height and detailing, a vehicle underpass and a building that extends back into the site at two storeys to provide an 'L' shape

footprint. The proposals would permit 5 residential units of individual design and character, parking to the rear for 8 cars and no garden area, albeit four of the units would have a balcony area.

The plans have been revised during assessment to incorporate a ground floor A1 retail unit, this is in lieu of a larger lobby and lift to the flats. The cycle store has also been reduced.

The scheme incorporates 4x 2-bed units and 1x 1-bed unit.

Relevant History

EPF/0150/09	Redevelop current post office building with a rear extension to create six, one and two bedroom flats, small office to rear and six parking spaces - Withdrawn
EPF/0152/09	Conservation area consent for the partial demolition and redevelopment of current post office building with a rear extension to create six, one and two bedroom flats, small office to rear and six parking spaces – Withdrawn
EPF/1213/09	Redevelop existing post office building into a new retail unit and create 3 no. new flats, two x two bedroom and one x one bedroom flat with 6 parking spaces - Approved

Policies Applied:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
H2A Previously Developed Land
H3A Housing Density
H4A Dwelling Mix
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE7 Public Open Space
DBE8 Private Amenity Space
DBE9 Loss of Amenity
HC6 Character, Appearance and Setting of Conservation Areas
HC7 Development within Conservation Areas
HC9 Demolition in Conservation Areas
LL10 Adequacy of provision for landscaping provision
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle Parking
I1A Planning Obligations

The National Planning Policy Framework (NPPF).

Summary of Representations:

20 neighbouring properties were consulted and a site notice was posted on the front of the building.

No objections have been received from neighbouring properties. One comment has been received from the Freeholder of the Auction House concerned that the development maintain light to existing windows included on the boundary.

LAMBOURNE PARISH COUNCIL: Had no objection to the application as submitted. Officers reconsulted the Parish Council after the incorporation of the A1 unit, no further comments had been received at the time of drafting this report.

Main Issues

The main planning issues are considered to be:

Principle of development

Design and appearance on the street scene and character of the Conservation Area

Impact to neighbouring properties

Living conditions for future occupiers of the development

Highways and parking

Landscaping

Other matters

Principle of development

The principle of residential development in an established settlement is acceptable in principle. Indeed residential use of the site was established for three units under EPF/1213/09. The demolition of a building in a Conservation Area however, particularly where it contributes to the character and appearance of the Conservation Area is contrary to policy. The loss of a historic building is by definition harmful and policy HC9 only allows this to take place where the redevelopment proposal either preserves or enhances the character and appearance.

The Council's Conservation Officer objects to the loss of the building in principle and were this to arise, being mindful of the current state of repair of the building, considers that any replacement should not incorporate an overhang, should closer mimic the appearance of the existing window openings and should have a slacker pitched roof that has a slate covering.

This is a rare occasion where Officers consider that the wider benefits of the scheme are sufficient to justify departure from the Conservation Officer's recommendations. The application is accompanied by information demonstrating that the existing building is beyond repair, and even were the task undertaken, the original fabric and features that would remain once the building were made good, would be minimal. The scheme as presented is alleged to require more than three units to make it a viable proposition, hence the earlier approval could not be implemented. The built form now proposed has accommodated the required number of units, whilst mimicking the existing building. In order to achieve five units the pitch of the roof and size of the building has been altered, the result being a steeper pitch which the applicant has proposed to cover with clay tiles to match neighbouring buildings. Neither slate nor traditional clay tiles are considered to be harmful, and whilst Officers can appreciate the building is not a like-for-like replacement, visually the replacement structure appears similar, makes appropriate historic references and the jetty overhang raising concern is a feature present on neighbouring buildings. In terms of the windows, those on the existing building have been altered over time, originally the windows were timber sashes with a vertical emphasis. The current windows are now casements which on the ground floor are more squat in appearance since replacement. The proposed replacement building would reintroduce sashes, but the windows would be wider and indeed taller, resulting in a more square opening, and at ground floor the windows would as a result have a horizontal emphasis due to the overhanging jetty.

Officer notes the differences raised, but considers the reuse of the site, with an aesthetically pleasing building that could be considered an enhancement, acceptable comparable to the eventual collapse of the existing fabric. Whilst no neighbouring properties have written to the Council to support the scheme, a number of residents were present on site during the Officer's visit and all made positive comments regarding the proposals.

Policy HC9 does provide an opportunity to require a legal agreement to ensure the demolition of the existing building does not occur prior to the provision of a contract for redevelopment. In this instance, given the current state of repair of the existing building, this is not considered necessary.

Design and appearance

Notwithstanding the Conservation Officer's views in principle (discussed above) and the changes in the detailing of the proposed replacement building, the design in general is of a high standard. It does incorporate a large crowned area in order to accommodate the loft units, but from ground level would appear architecturally pleasing, reflecting the character of the area and the neighbouring buildings. To the rear the design is more modern and less traditional than the front, however the range of materials proposed would tie the appearance from the rear to the local character.

Neighbouring amenities

The plot is situated adjacent to two functioning businesses, the floors above which are occupied by flatted residences. The development proposed has been carefully designed to provide a visually pleasing elevation to the Market Place and the access between the site and that of the adjacent Coach House. These elevations provide a traditional form and facing the Coach House a recessed balcony is incorporated into the roof. To the rear the units provide more openings and balconies looking over the parking courtyard which would be screened with some limited landscaping. This design is akin to that of the neighbouring plot behind Abridge Interiors. The first floor has been designed to be single aspect so as to prevent overlooking of the Coach House property (occupied by the fireplace and stoves company).

The proposals would result in an increase in depth of the footprint of around 2m to the rear and 1.5m to the front. The ground floor neighbouring unit does maintain windows on the boundary overlooking the site, however these appear to serve storage areas and be non-opening. Whilst the depth of footprint increases, there would be an impact to the ground floor opening that is located to the immediate rear of the building. However, as this is adjacent to the vehicle access, some loss of light would arise, but this would not impact residential amenities due to use for retail and some light would remain through the access. As the window can remain as part of the proposed scheme, no concern is raised.

A letter has been received from the freeholder of the site, who whilst there is no objection in principle, is concerned that light is retained to the windows. Officers consider that adequate light would be retained to these windows for lighting areas associated with the retail unit.

Living conditions of future occupiers

The internal layout has been revised during the course of this application to omit the proposed internal lift. The lift combined with the larger entrance area was considered a poor use of space and following discussion with Officers the applicant has revised the scheme to incorporate a small retail unit. The loss of the lift is not considered harmful to the amenities of future occupiers.

The internal layouts are unusual given the constraints of the building, but all units would have a reasonable outlook, there would be no inter-looking between units and generally bedroom areas of units adjoin those of the neighbouring unit to minimise noise and disturbance.

Highways and parking

Officers at Essex County Council have been consulted on the planning application and have objected to the scheme due to the width of the access, absence of turning area within the site and the size of the parking bays being to the old standards. Essex County Council also objected due to the provision of gates preventing access immediately to the site near a busy junction. The applicant has subsequently moved the gate to the rear elevation to overcome this concern. The issues raised by the highway authority were all raised in 2009 when a similar scheme was approved. Therefore Officers consider it unreasonable to uphold the concerns raised now when they were not upheld in 2009. Furthermore the width of the access, whilst not to standards, would allow access for a standard residential vehicle, and turning within the site would be achieved by using the bay in which the resident had access to. The use of the gate should prevent parking by persons not associated with the development. Mindful of these points, Officers consider in this instance, the retention of historic dimensions to the building of greater importance than the access standards usually prescribed. Market Place frequently has slow moving traffic due to the approach to the mini-roundabout and as such the thoroughfare of traffic should not be disturbed unduly.

Landscaping

There is limited opportunity for landscaping on site due to degree of hard surfacing for parking needed. However, the applicant has incorporated planting at the head of the access road and hedging along the boundary with the neighbouring site to provide some greenery.

Planning obligations

The proposals are below the thresholds for planning contributions.

Other Matters

The Council's Archaeological consultant has requested conditions due to the site's location in a historic area of archaeological interest.

The Council's refuse team sought revisions to improve collection arrangements, as a result the area provided is now immediately adjacent to the highway and in front of the gated entrance to improve ease of collection. The size of the bin store remains to raise concerns, however Officers are of the opinion it is of adequate size and the benefits of an active A1 unit at ground floor outweigh those of a larger bin store.

There are no contamination concerns in relation to the site.

Thames Water have no concerns regarding infrastructure capacity at the site.

Conclusion

It is regrettable that the existing historic building has reached its current state of disrepair, it is not listed and is not protected, however the proposals put forward, whilst controversial, have suggested a meaningful provision of new homes in an existing village area, and the reintroduction of a retail use at ground floor. The proposals have been designed to reflect the character of the original building, whilst meeting modern needs and incorporating features from the wider Conservation Area. As such, with minimal concern raised locally, Officers recommend approval subject to conditions.

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:

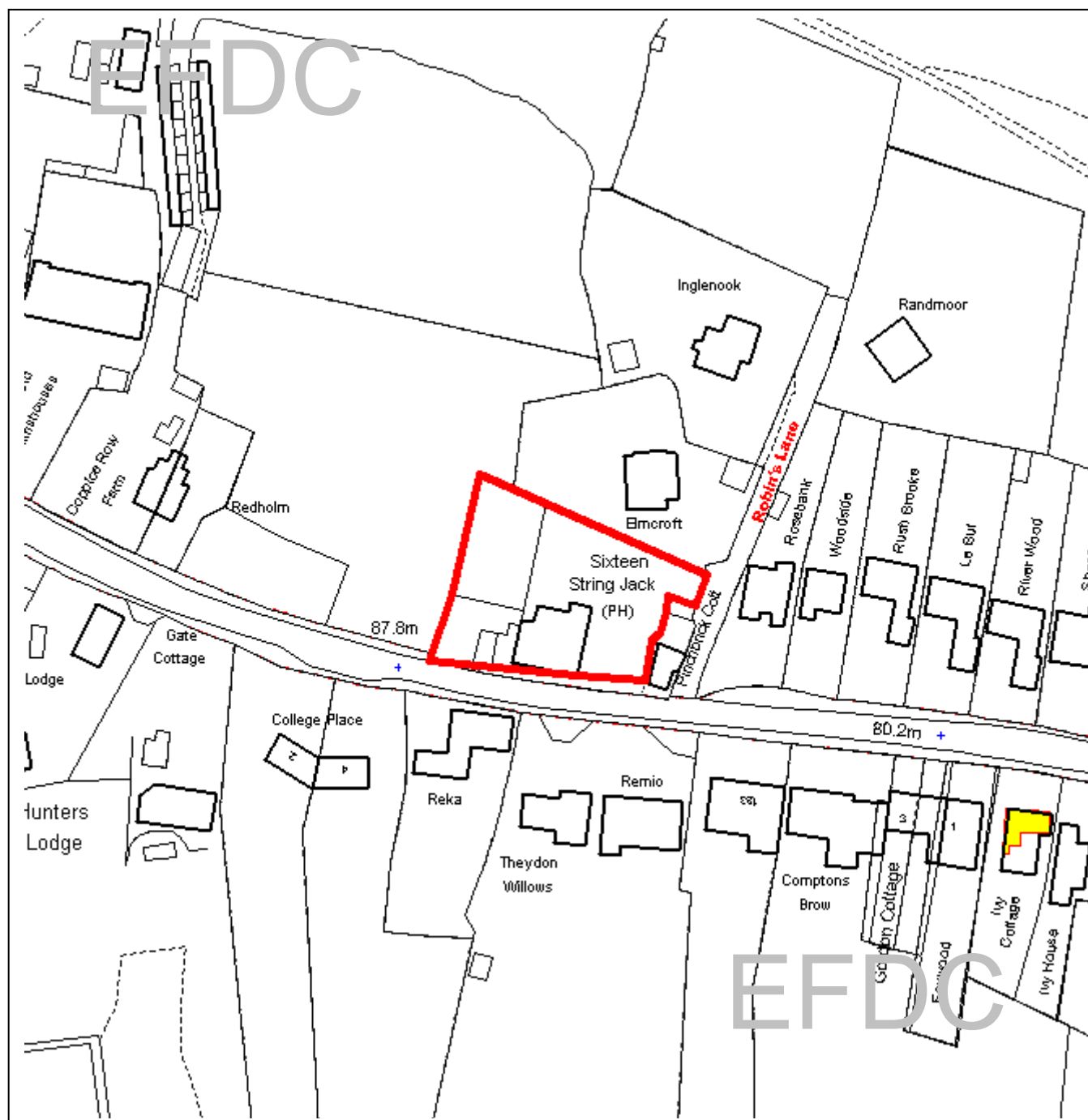
Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481

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



Epping Forest District Council

AGENDA ITEM NUMBER 8



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Application Number:	1/1250
Site Name:	Sixteen String Jack, Coppice Row Theydon Bois, CM16 7DS
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2040/14
SITE ADDRESS:	Sixteen String Jack Coppice Row Theydon Bois Essex CM16 7DS
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Rory Anderson
DESCRIPTION OF PROPOSAL:	Demolition of existing Public House and associated buildings and erection of thirteen residential apartments with parking and communal garden.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567530

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:
14-2302 001
14-2302 002
14-2302 003
14-2302 004 01 rev E
14-2302 004 02 rev D
14-2302 005 rev B
14-2302 006 rev B
14057 se-01B rev B
14097 se-02
DFCP TSP 3179-001-02
DFCP TSP 3179-001-02
- 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 Prior to first occupation of the development hereby approved, the proposed window opening serving unit 13 on the southern elevation in the most eastern position (serving a hallway) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 5 No development shall take place until details of foul and 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.
- 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 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.
- 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 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.
- 9 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]

- 10 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]
- 11 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]
- 12 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.
- 13 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.
- 14 The development shall be carried out in accordance with the recommendations set out in the Ecology Appraisal (dated 30th June 2014) and Bat Survey (dated 29th July 2014) completed by D F Clark Ltd.

- 15 Prior to first occupation of the development the visibility splays and access arrangements, as shown on Stomor drawing no.ST-2387-10-B, shall be provided and retained in perpetuity.
- 16 Prior to first occupation of the development any redundant vehicle dropped kerb crossings, across the site frontage, shall be reinstated to full height kerbing and footway.
- 17 Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation to each dwelling of the submitted Residential Travel Information Pack for sustainable transport.
- 18 The vehicular turning and parking areas shall be constructed, surfaced and maintained free from obstruction within the site at all times for those sole purposes.
- 19 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 20 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.
- 21 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.
- 22 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.
- 23 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.

This application is before this Committee since it is an application for major developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval

(Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(c)) and since it is an application for residential development consisting of 5 dwellings or more (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) and 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))

Description of site

The site is the now closed Sixteen String Jack Public House. The site, garden areas and car park are currently closed off by security hoardings.

The site fronts Coppice Row to the south, with the side boundary being open to the Green Belt to the west, backs onto Elmcroft a property on Robin's Lane to the north (rear) and has a side access onto Robin's Lane to the east, where the boundary is shared with Pinchbrick Cottage.

This area of Coppice Row slopes downhill towards Theydon Bois main village and has the appearance of a rural lane. The site forms part of a linear string of development along the highway towards the main village and is separated from the forest by a small cluster of properties to the west. The former beer garden area is at a significantly higher level than the remainder of the site and is part of the designated Green Belt, the remainder of the site is within the village envelope. The site has existing vehicular accesses onto both Coppice Row and Robin's Lane.

Description of Proposal:

The application seeks permission to demolish the existing building and clear the site to provide thirteen apartments (3x 1-bedroom and 10x 2-bedroom). The development would provide 15 parking spaces and a communal garden area in the region of 350sqm.

The footprint of the proposed apartments would run in an east-west direction along the front of the site towards Coppice Row, with access generally in the position of that which is existing, but beneath a first floor unit. The footprint would also continue along the rear boundary with Elmcroft in the same east-west direction. The two blocks would be joined centrally by a single first floor unit with parking and bin stores below.

The proposed flats have been designed to have a varied articulation and range of materials and ridge heights.

Relevant History

No relevant applications. The developer sought pre-application advice from the Council under EF\2014\ENQ\00386. Advice regarding 13 units was generally favourable, providing a good contribution towards housing supply, subject to more detailed information being supplied and an application was encouraged.

Policies Applied:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality

H2A Previously Developed Land
H3A Housing Density
H4A Dwelling Mix
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE7 Public Open Space
DBE8 Private Amenity Space
DBE9 Loss of Amenity
LL10 Adequacy of provision for landscaping provision
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle Parking
CF12 Retention of Community Facilities
I1A Planning Obligations

The National Planning Policy Framework (NPPF).

Summary of Representations:

72 neighbouring properties were consulted and a site notice was posted on the security hoarding.

24 objections were received from the following properties raising concerns detailed below:

IN COPPICE ROW:

THEYDON WILLOWS, WEST LODGE, PINCH BRICK COTAGE, HUNTERS LODGE, ROSEDENE, RIVERWOOD, RUSHBROOKE, WOODSIDE, CARTWHEEL COTTAGE, THE GABLES, THE FURZE, FOREST EDGE, 2 COLLEGE PLACE, 4 COLLEGE PLACE, OAKWOOD (NUMBER 83) ATHELSTANE (NUMBER 103), NUMBER 99, REKA, SANCTUS 123 AND REDHOLM.

85A THEYDON PARK ROAD

IN ROBIN'S LANE:

RANDMOOR COTTAGE, ELMCROFT

43 DUKES AVENUE

24 MORGAN CRESCENT

A SINGLE LETTER WITHOUT ADDRESS

In addition to the 24 neighbours, objections were also received from:

THEYDON BOIS ACTION GROUP,
THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY,
THEYDON BOIS VILLAGE DESIGN STATEMENT ASSOCIATION,
CITY OF LONDON OPEN SPACES DEPARTMENT.

The issues raised in the representations can be summarised as follows:

The site location is too separated from the main village to be considered sustainable. The proposals would impact on the setting and appearance of the forest and result in a creeping of urbanisation. The design is of poor, bulky design, appears as 2.5 storey development, forward of the general building line in the area and not in keeping with the area. Immediate locality is characterised by large properties in spacious plots generally. Flats in this location are out of

character and the density proposed is too high for this rural area. Concerns the proposed number of units would give rise to a greater degree of noise and disturbance to neighbours.

The absence of viability is alleged to be due to attempts to deter custom. There are significant highway concerns in respect of the existing access and that which is proposed. The speed of traffic despite the speed limit in place, narrow nature of the lane, difficulties parking for existing residents and dangers with existing accesses. There is concern regarding congestion in this area, pedestrian safety and in practice how the proposals would work with visitor, delivery and service parking.

Concerns are also raised regarding impact to wildlife, in particular newts and snakes. How the education contribution towards a primary changing room has been derived, general construction issues in terms of noise disturbance and damage and issues relating to water and drainage provision.

There are a number of suggestions seeking a lesser number of units on site, possibly larger properties in larger plots. It is remarked that flats are only characteristic in the village centre.

THEYDON BOIS PARISH COUNCIL: Strong Objection:

The Parish Council believes this to be a wholly inappropriate development in this location and wishes to register a very strong objection.

The proposed development is located in a sensitive semi-rural location at the settlement edge of Theydon Bois adjacent to SSSI Epping Forest. Normal planning policy (LL3) would dictate that a low density development would be the most appropriate for this location to ensure that its impact on the surrounding area would be minimal. However, this proposal due to its size, bulk and density is completely at odds with this policy and would have an overly dominant impact on the area and street scene.

The proposal also fails to respect its location and the established pattern of development in the road contrary to policy H3A and the Theydon Bois Village Design Statement. The latter (which has been accepted by EFDC as part of the evidence base in preparation for the new Local Plan) states that: 'Any new development should be in keeping with, and sympathetic to the character and scale of the particular street scene'.

Of deep concern to the Parish Council is the totally inadequate parking provision for 13 apartments. We do not accept the applicant's view that this is a 'highly sustainable' site – it is not. There are no public transport links in this part of the village and due to the narrowness of the road in this location there is no continuous public pavement for pedestrians to walk to the site on the northern side of Coppice Row. This would mean to gain access to the site on foot pedestrians would either have to walk in the road past Pinchbrick Cottage or cross the road from the pavement opposite at a dangerous part of the road close to a blind bend. We would also remind you that Theydon Bois has a dark skies policy and has no street lights. Therefore in the winter months pedestrians would be negotiating the above in the dark! We are therefore strongly of the view that residents in this location would be reliant on cars as a means of transport and can see no justification why the normal policy of two car parking spaces per apartment should be relaxed.

This Council also disagrees with the assessment by Essex Highways in their letter of 8th October on highway safety. The authority has taken the view that the sight lines are an improvement over what they are now and therefore the development is acceptable. We maintain that if this was a 'green field' site the sight lines would not be acceptable and the development would be pushed further back from the roadside in line with the majority of other houses on that side of the road. Local knowledge would also suggest that there have been numerous unreported accidents and near misses in this location which has not been considered by the Highways Authority.

In conclusion, this Council is not against the redevelopment of this site, but believes a more acceptable proposal should be sought which better respects its location in the village. We would expect this to be a considerably lower density development with proper parking provision.

Main Issues

The main planning issues are considered to be:

- Principle of development
- Design and appearance on the street scene
- Impact to neighbouring properties
- Living conditions for future occupiers of the development
- Highways and parking
- Landscaping
- Other matters

Principle of development

The proposed redevelopment of the site would necessitate the loss of the existing public house. The loss of this community facility and business use requires justification and the applicants have carried out an appraisal of local facilities and supplied trading summaries as part of this application. Given the applicants have been able to demonstrate that the village is well served by two existing public houses, a vibrant high street with no vacancies and a diverse variety of community clubs and organisations, the loss of a community facility is regrettable but in this instance acceptable.

It is clear from information supplied that the public house does not represent a viable business offering at present and that its location on the edge of the village has meant it is less frequented than other businesses and does not benefit from combined trips as other more central public houses do. On the basis that the loss of the public house for redevelopment is acceptable, redevelopment for residential use is appropriate. Policies contained within the NPPF no longer require other employment generating uses to be considered first. The objective of these policies being to ensure active use of a site to prevent vacant sites remaining for long periods.

Design and appearance

The principle of a large building along the site frontage has been established during pre-application discussions as acceptable, in this instance, because it is well articulated and designed such that it resembles three large dwellings. The position was guided by the forward position of the existing building on the site and by the principles in the Essex Design Guide. This is considered to compliment the existing street scene.

The provision of linear development along the boundary with Elmcroft raised more concerns, at the pre application stage, however subject to a reduced height, non-opening windows at first floor and a depth that could be comparable with an extended property with a staggered footprint, this was considered on balance acceptable.

The layout proposed allows the designated green belt land to remain undeveloped. The proposed buildings would be viewed in the context of the existing ribbon of development in this area therefore would not appear unacceptably prominent or conspicuous when viewed from the Green Belt.

The development is very dense, given its semi-rural location on the edge of the village settlement, and may be considered out of character with the prevailing pattern of development. However, the buildings have been sympathetically designed to a high specification. The layout has retained the existing open space and the elements on or near the boundaries have been designed with a roof

form that pitches away from the neighbours. This is particularly evident at Elmcroft and Pinchbrick Cottage. The principles of the Essex Design Guide have underpinned the layout. Impact to neighbouring properties will be explored in more detail below.

The layout makes provision for separate refuse and cycle storage in addition to parking areas. Officers are satisfied that whilst dense, the layout adheres to good design principles and would make a good provision of housing within an established settlement, close to a good range of facilities.

Neighbouring amenities

The proposed development will impact upon a number of existing residential properties including those on the opposite side of Coppice Row; at Elmcroft to the rear; and, most significantly, upon Pinchbrick Cottage located between the site and Robin's Lane.

The design has been altered following pre-application discussions with Officers and local residents. The roof form on the boundary with Elmcroft is now more favourable pitching way to provide improved outlook, the bin store has been relocated away from Pinchbrick Cottage.

Policies DBE2 and DBE9 seek to protect neighbouring amenities from excessive adverse impact. The proximity of Pinchbrick Cottage and Elmcroft to the site boundaries makes some impact inevitable. There would be a single opening towards the rear of Pinchbrick Cottage that serves a hall area in unit 13 and could be obscure glazed by condition. Other windows look towards the west and communal garden areas or are separated by the depth of the garden or parking areas, therefore the layout has been designed to prevent loss of privacy to neighbouring units.

Pinchbrick Cottage would continue to enjoy a good outlook to the rear with unit 13 having a reduced height to achieve less impact and greater outlook. Similarly units 11, 12 and 13 are single aspect to minimise impact to Elmcroft, and the buildings have all been set off the boundary. The development adjacent Elmcroft has been designed to be reduced height from the usual two storeys, pitching away from the boundary, screened from view by vegetation that would be retained. Elmcroft is orientated with main outlook to the front and rear (east and west), however there is a first floor bedroom area in the flank that would look out towards the proposed development. Given this room looks out onto mature vegetation at present, the proposed new buildings would be clearly visible, but would equally allow light and views to this room to remain to a degree, and on balance, Officers consider this relationship is acceptable.

Thus whilst the scheme would result in impacts to the immediate neighbouring properties, with the design and layout proposed, it is not considered that loss of outlook, overshadowing or loss of privacy would occur to a degree sufficient to justify refusal.

This assessment has focussed on impacts to the nearest neighbouring properties on the boundary with the site. Properties further from the site would suffer a lesser impact than that assessed above and properties on the opposite side of the street would have a relationship with the site no different than that further along Coppice Row where opposing properties are commonplace. It is noted that these properties are not generally flats, but there is no policy requirement that would make this assessment more onerous for flats.

Living conditions of future occupiers

The proposed development has been designed around principles outlined in the Essex Design Guide. Details of internal layout were not available at pre-application stage. The result being properties that are either at right angles to one another or a suitable distance apart. This ensures that inter-looking is not a concern between units.

Views from units 12 and 13 are poor towards the parking area as these units are single aspect, however views beyond are possible through the access, thus the new properties would not feel enclosed. This is further assisted by the individual design of the blocks. Thus whilst views are less than desirable, overall light and outlook is considered acceptable.

Internally the layout of separate units 1, 2, 3, 4, 12 and 14 are all well designed to ensure bedroom areas abut similar areas in the units adjacent/above/below. Remaining units have a less desirable relationship with one another, however it is expected that any noise and disturbance between units could be overcome through the application of suitable insulation as part of modern building regulations.

The layout makes adequate provision for refuse and cycle storage. Access to the refuse area is beneath the undercroft of the unit above and would allow refuse services to wheel the refuse bins to the collection vehicle to be emptied. The distance is acceptable to do so, and the likely disruption along Coppice Row while this takes place is noted. However the likely disruption during collection of refuse from the development is unlikely to differ significantly from any disruption that currently takes place.

The garden area is approximately 15m by 22 metres which meets the standard of 25 square metres per flat which is set out in policy. In addition it is well located and landscaped purposefully to provide a useable space. Given the degree of surrounding open space, this is considered acceptable.

Highways and parking

Officers at Essex County Council have been consulted on the planning application and have no objections to the proposed scheme. The developer is improving visibility at the access to the west significantly as part of the scheme. Improvements are also made to visibility to the east but to a lesser extent. The proposed use results in less trip generations than that of a public house, were it a more successful enterprise. Therefore the highway authority is satisfied the proposals would not be detrimental to highway safety, capacity or efficiency in this location.

The concerns of residents are noted, as are the historic incidents raised, however Officers can only assess a scheme against adopted policy and the proposals meet the adopted standards for access, resulting in fewer movements from an improved access.

Parking has been provided at a lesser extent than would usually be expected, however the scheme is for apartments, where a one space per unit provision is not uncommon. Theydon Bois provides access to a good range of facilities locally including the tube station, and in this context a lesser provision of one space per unit plus visitor parking, is considered acceptable. The main facilities are less than 1.5km away along a road with a pavement and the site is therefore considered relatively sustainable such that it is expected that many occupiers would consider walking.

Landscaping

Following pre-application discussions, the set back of the proposed buildings from the site frontage has been increased, and it is possible to provide some landscaping along the front of the site to soften the appearance of the development. The Council's landscaping team have been

consulted on the application and have no objections subject to conditions.

Planning obligations

The scale of the development is below the threshold for the provision of affordable housing.

With regard to education provision, only 10 units would have two-bedrooms and therefore have potential to accommodate families. The latest data on sufficiency of school places shows that places at primary and secondary level are tight, but due to just 10 two-bedroom flats being proposed there would be sufficient places available. The data on sufficiency of places for pre-school children indicate that it is likely that there will be sufficient places at a local pre-school or day nursery. However, the secondary school is over the statutory walking distance and therefore there will be a cost to ECC in transporting secondary children to school. Based on 10 flats all with two or more bedrooms the school transport cost is likely to be £3,803 index linked from April 2014 using the PUBSEC index. Were Members to refuse this application the County have requested that absence of transport contribution be included in reasons for refusal to ensure ECC involvement in any potential appeal, should primary and secondary place provision change at that time.

Other Matters

Due to the former use of the northern part of the site as part of a Farm and Builders Yard prior to 1960 and the presence of onsite Made Ground there is the potential for contaminants to be present. The necessary remediation of contaminated land is recommended to be secured by conditions.

In terms of drainage provision, the Council's land drainage team have no concerns subject to conditions. Thames Water have been consulted and have confirmed they have adequate connection capabilities.

Construction issues raised would not differ to any greater degree than elsewhere in the District.

The Council's Countryside team has assessed the ecological issues relating to the proposals and have raised no concerns.

Conclusion

After careful consideration of the issues relating to the proposal and those raised during consultation, Officers consider that on balance, the merits of the scheme are sufficient to justify recommending approval. Concerns regarding neighbouring amenities and highway matters in particular have been given careful scrutiny and whilst neighbouring impacts would arise, the harm caused is not in the view of Officers sufficient to justify refusal. In terms of highway impacts, Essex County Council has no concerns and has left it for this Authority to consider whether parking is sufficient given the location. On balance, approval is recommended for a development that would make a meaningful contribution towards new homes in the District in a desirable location where the built form is outside of the Green Belt.

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:

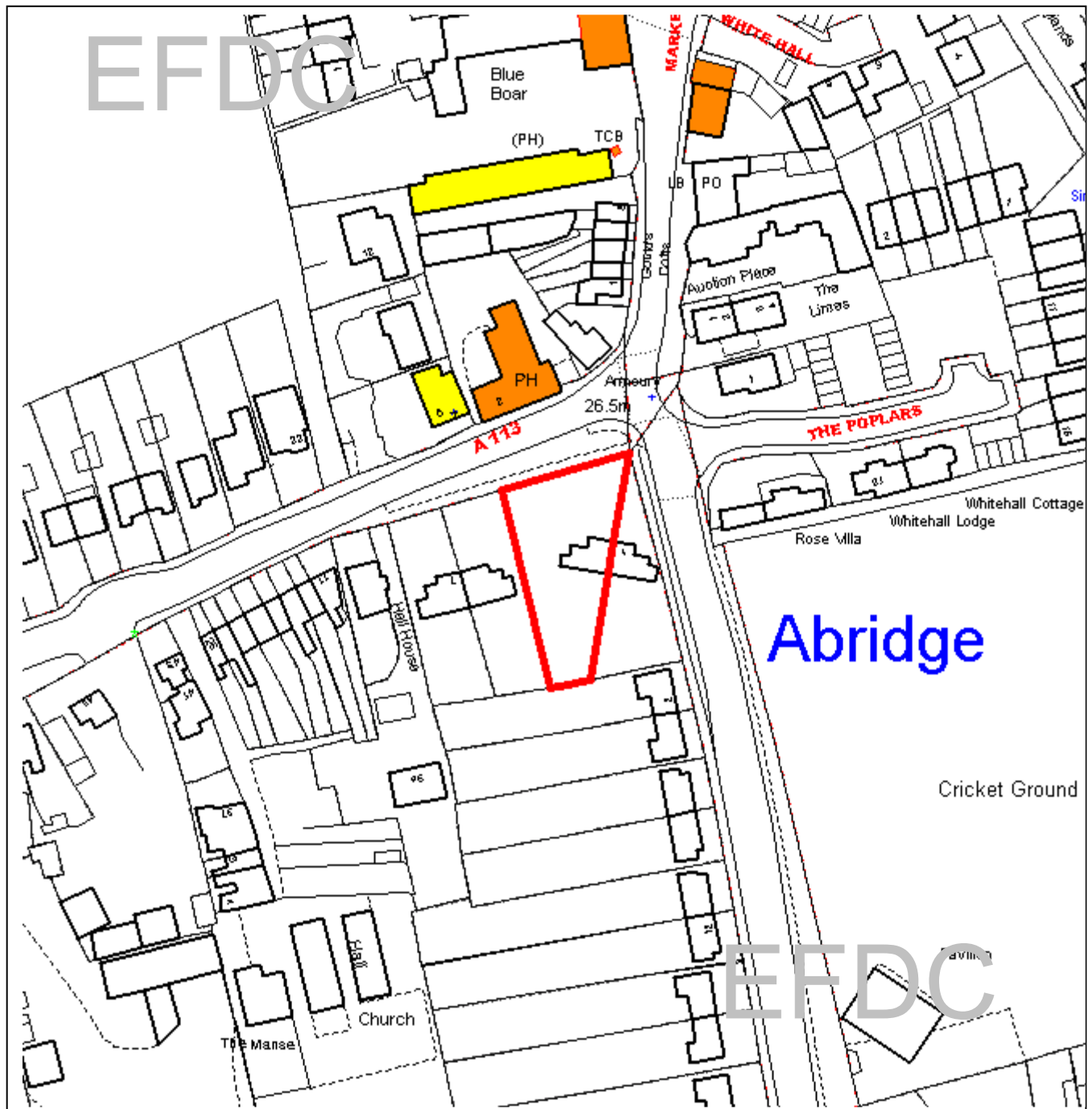
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

or if no direct contact can be made please email:



Epping Forest District Council

AGENDA ITEM NUMBER 9



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Application Number:	EPF/2103/14
Site Name:	3 London Road, Lambourne RM4 1UT
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2103/14
SITE ADDRESS:	3 London Road Lambourne Romford Essex RM4 1UT
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Miss Natalie Booker
DESCRIPTION OF PROPOSAL:	Proposed vehicle crossover.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567834

REASON FOR REFUSAL

- 1 By reason of its location and prominence in the street scene and the significant harm to the attractive grass verge on London Road, the proposed crossover will cause excessive visual harm to the character and appearance of the Abridge Conservation Area as a whole. Therefore it is contrary to policy HC6 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

this application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))

Description of Site:

The application site is located within the built up area of Abridge. The existing building is a two storey semi detached property situated within a wide plot. Currently there is no access to the road from the front of the site. The next door neighbours do not have vehicle crossovers onto London Road. There is a listed building opposite and the village sign and a park bench are located on the grass verge just beyond the existing pedestrian access. The application site is not located within the boundaries of the Metropolitan Green Belt and it is within a conservation area.

Description of Proposal:

Proposed Vehicle crossover across area of green to provide access for parking.

Relevant History:

No relevant history for this site but the property 2 doors further west, Number 7 has an unimplemented permission for a crossover, granted in 2012, however this would cross a much narrower part of the green and no objection was received from the Parish Council..

Policies Applied:

CP2 - Protecting the Quality of the Rural and Built Environment
DBE1 – Design
ST4 - Road Safety
ST6 - Vehicle Parking
HC6 – Appearance of conservation areas

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation Carried Out and Summary of Representations Received

2 Neighbours consulted and a site notice was erected. – No comments received

LAMBOURNE PARISH COUNCIL – OBJECTION – Such a vehicle crossover would not be in keeping with the street scene and would radically alter the visual amenity of the Abridge Gateway and Green. It would decimate the established landscape area and would necessitate writing off substantial sums of money spent on its upkeep over the years. It is a health and safety risk to those using the memorial bench used by elderly people and parents with prams. We consider it dangerous to motorists using the site, particularly for those reversing off the site given its close proximity to the junction of Hoe Lane and London Road and the blind bend for vehicles approaching London Road via the Market Place, Abridge and turning left onto Hoe Lane. We therefore recommend that the commissioning of a highway report is necessary.

Main Issues and Considerations:

The main issues in this case are the impacts of the development on the character and appearance of the conservation area and on highway safety.

Character and Appearance of the conservation area

Council records show that the grass verge, over which the new crossover would be built is within the boundaries of the Abridge Conservation area. The verge is a particularly attractive feature in the street scene and contributes greatly to the appearance of the locality as a whole. The proposed crossover would remove a section of this attractive feature and replace it with hard standing, close to the village sign and a public bench. This would have a deleterious effect on the character and appearance of the conservation area and may set an unwanted precedent for other neighbours to do the same, further harming the appearance of the Conservation area. The Green is also opposite a listed building and a locally listed building and is an important part of their setting. The proposal is therefore contrary to HC6 of the Adopted Local Plan and Alterations.

Highway safety

According to the Council's Highway advisor, the site offers suitable sight lines onto the main public carriageway and as such will not cause any harm to highway safety. Furthermore there is adequate turning space within the plot and sufficient parking provision. Therefore the proposal complies with policies ST4 and ST6 of the Adopted Local Plan and Alterations.

Housing department consent

The application dwelling is Council owned and the applicant has already, unusually, gained the consent of the Council's Housing department (on appeal) for the creation of a vehicular access after citing personal circumstances. That permission does not override the need for both Planning Permission and permission from the Highway Authority. Whilst planning officers may sympathise with the applicant, who has no current vehicular access to the site, which makes life very difficult with small children, in planning terms this does not justify the significant harm which would be caused to the character of the conservation area were this proposal granted planning permission. However given that this consideration is contrary to the decision of another section of the Council it is considered expedient to put the matter before members for a decision.

Conclusion

The crossover will not compromise highway safety however it will cause significant and undue harm to the character and appearance of the Abridge Conservation area. As such it is contrary to policy HC6 of the Adopted Local Plan and Alterations and therefore it is recommended that members refuse 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:

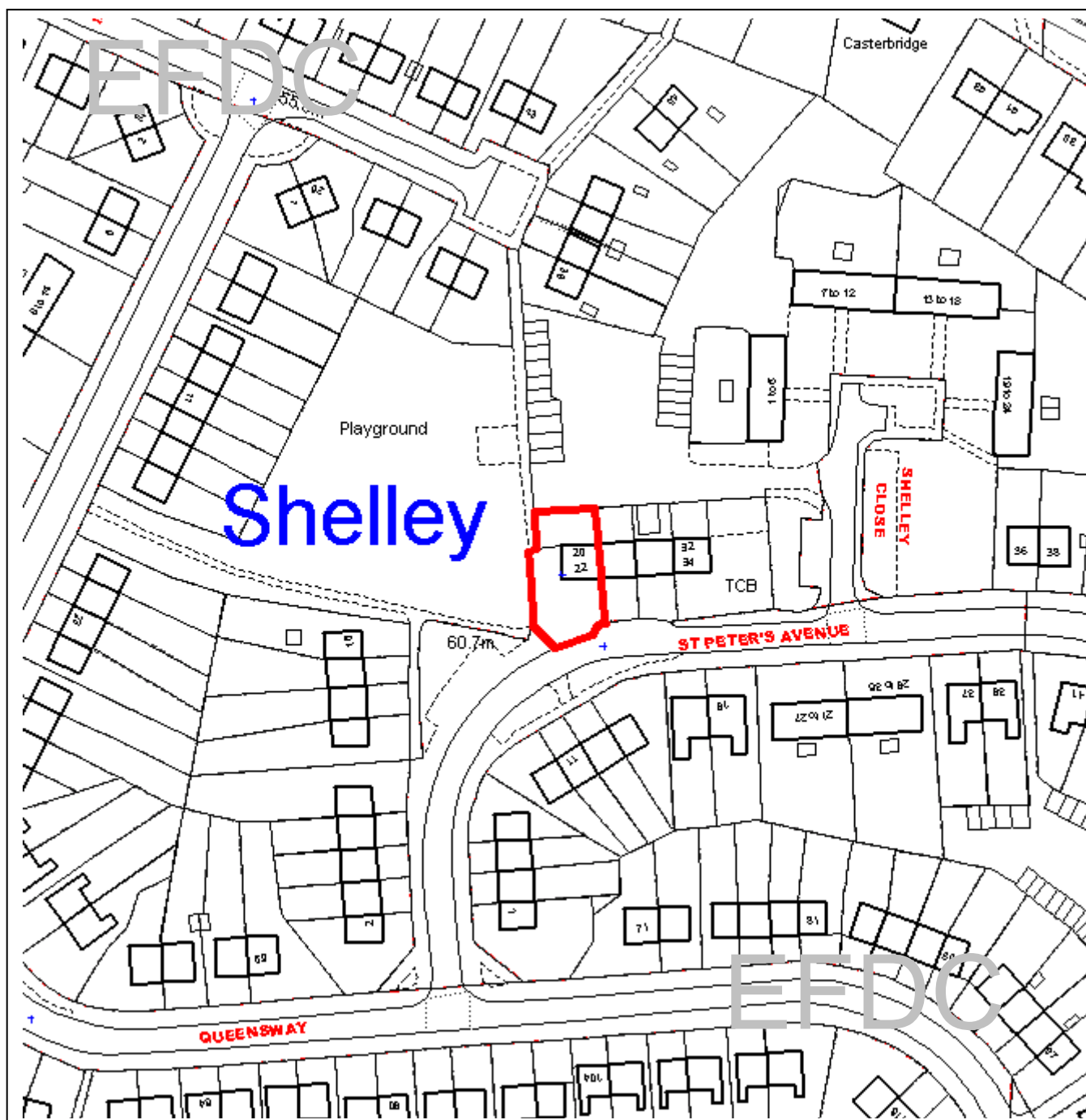
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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Epping Forest District Council

AGENDA ITEM NUMBER 10



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Application Number:	EPF/2223/14
Site Name:	20 St. Peters Avenue, Ongar CM5 0BT
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/2223/14
SITE ADDRESS:	20 St. Peters Avenue Ongar Essex CM5 0BT
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Mr Mohammed Mukim Uddin
DESCRIPTION OF PROPOSAL:	Variation of Condition 4 'Opening Times' of planning application EPF/2298/12 to allow extended opening hours Monday -Thursday 11.00 - 22.00, Friday - Saturday 11.00 - 23.00 and Sunday's and Bank Holiday's 11.00 - 22.00 (Change of use to allow the premises to be used as a take away (Class A5) - revised application)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568352

CONDITIONS

- 1 The development hereby permitted shall be carried out in accordance with the approved drawings nos:
Site Location Plan,
002/DRW01B,
002/DRW02B and
002/DRW03B
- 2 The equipment to control the emission of fumes and smell from the premises shall be maintained in accordance with the quotation letter dated 12th November 2012 from C K Direct (ref 4929/3) as shown on the approved plans. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the manufactures recommendations and retained for so long as the use continues.
- 3 The premises shall not be open for customers outside of the following hours:
Monday - Thursday 11:00-22:00, Friday -Saturday 11:00-23:00 and Sundays and Bank Holidays 11:00 - 22:00.

This application is before this Committee 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))

Description of Site:

The application site is an existing A5 hot food takeaway unit located within the local centre of St Peter's Avenue, Ongar. The use of the unit as a hot food takeaway was permitted at appeal.

The unit is one of four units within this small retail area and contains residential flats above. The surrounding area is predominantly residential, however to the immediate rear of the site is a residential garage area and to the immediate west is a playground. The majority of the surrounding area, including the shop units themselves, are still Council owned.

Description of Proposal:

Consent is being sought to vary condition 4 attached to the consent for the hot food takeaway. Condition 4 currently restricts hours of opening to 11am – 9pm Monday to Saturday and not at all on Sundays and Bank Holidays.

The proposal seeks to revise the hours of opening to Monday-Thursday 11am – 10pm, Friday and Saturday 11am – 11pm and on Sundays and Bank Holidays 11am to 10pm.

This application has been accompanied by a petition with 61 signatures from customers. All appear to be from the local area based on the first line of address supplied.

Relevant History:

With regard to this specific property the following applications are relevant:

EPF/1560/12 - Change of use to allow the premises to be used as a takeaway (Class A5) and installation of canopy and extraction system – refused 02/10/12

EPF/2298/12 - Change of use to allow the premises to be used as a takeaway (Class A5). (Revised Application) – Refused but allowed at appeal.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
TC1 – Town centre hierarchy
TC6 – Local centres and corner and village shops
DBE1 – Design of new buildings
DBE9 – Loss of amenity
RP5A – Adverse environmental impacts
ST4 – Road safety
ST6 – Vehicle parking

Following the publication of the NPPF, policies from the 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.

Summary of Representations:

26 neighbouring properties were consulted. No responses have been received from neighbouring properties.

ONGAR TOWN COUNCIL:

Strongly objects to this application and are aware of considerable Anti-Social behaviour in the area of the applicant's business and of litter in the surrounding area. While it is not felt that these matters are solely connected with the applicant's business they do cause considerable concern to

neighbours. Any extension to opening hours beyond those granted on appeal in 2013 would increase the likelihood of noise and inappropriate behaviour. The currently permitted hours are in line with those permitted for other take away outlets in residential areas of Ongar and if any amendment is granted a precedent could be established to the detriment of other areas where take away businesses are close to habitations.

Issues and Considerations:

The main issues with this application relate to the potential impacts arising from the proposed additional hours of opening, namely in relation to viability in the parade of shops, neighbouring amenities and anti-social behaviour.

In terms of the viability of the parade, the other stores in the parade have been documented as open at the following hours

- No. 24 (Hairdressers) - until 18:00 Monday to Wednesday, closed on Thursday and Sunday, until 19:00 on Friday, and until 18:00 on Saturday.
- No. 28 (Convenience Store including Off Licence) – Licence Hours until 23:00 Monday to Saturday and 22:30 on Sunday.
- No. 32 (Café) – Until 18:00 Monday to Friday, until 13:00 on Saturday and closed on Sunday.

A customer for the takeaway should create no more noise and disturbance than a customer for the convenience store, indeed later opening may result in combined trips to both stores.

Whilst there would be an increase in noise and disturbance beyond what currently exists, there are no restrictions on the hours of opening of the A1 units. Concerns raised relate to the behaviour of customers outside of the premises, which is beyond the control of the applicant and indeed planning. The operation of the business at later hours would in itself not result in any greater amount of noise than the neighbouring convenience store. It is also possible that by opening the business later, the frequency of trips into the building may deter persons from loitering around the premises and causing a nuisance.

Impacts to neighbouring amenities, particularly the flats above have been considered. Whilst it is unlikely the change in hours proposed would go unnoticed, it is equally the case that the later opening would be unlikely to result in significant adverse impact sufficient to justify refusal. As set out above, a person visiting the unit for a takeaway is unlikely to result in any more disturbance than a person visiting the neighbouring convenience store for other purchases at similar times. There would be considerations around odour, but the smells produced would not differ from those already deemed acceptable from the current permission. In addition no responses have been received relating to the neighbour consultation, and some weight should be attributed to the petition supplied by the applicant stating local persons supporting the proposed extensions in hours and desire for the service.

Conclusion:

The proposed hours of opening are noted to be akin to those which have raised concerns historically, however the impacts arising from the increased hours of opening are not considered unacceptable, or uncommon for a takeaway facility. The site is in a residential area, however the parade is well separated from neighbouring properties and the assessment of amenities for the flats above would not differ in a residential area from those expected in a Town Centre. In light of the neighbouring hours of opening, the local desire for the facility and the absence of neighbouring objections, Officers recommend approval.

If, irrespective of the Officer's assessment, Members remain concerned that this change may result in significant adverse impacts, perhaps the variation could be considered on a temporary basis for 12 months to trial the extended hours and allow assessment of the impacts arising.

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: Jenny Cordell
Direct Line Telephone Number: 01992 564481***

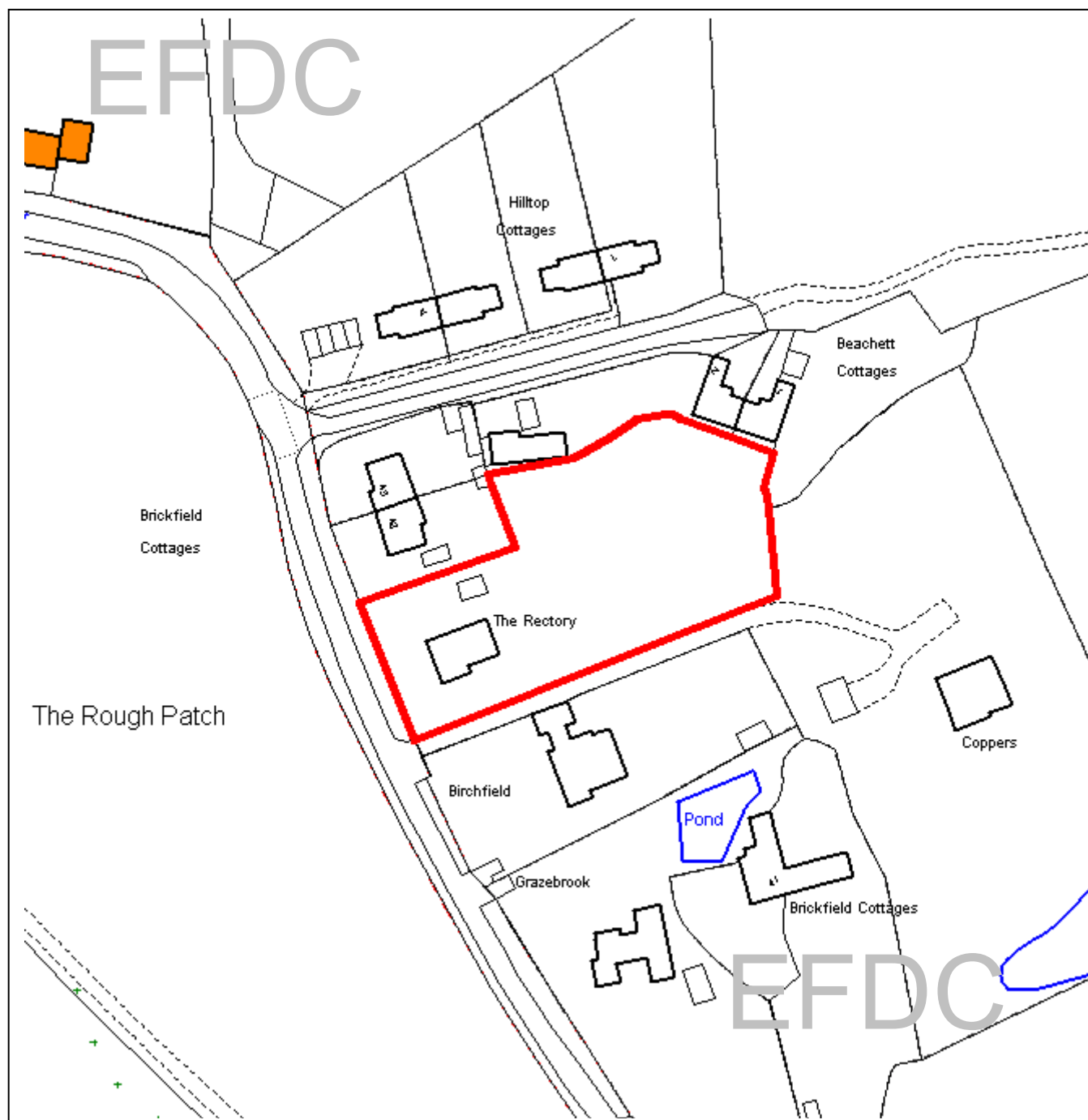
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Epping Forest District Council

AGENDA ITEM NUMBER 11



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Application Number:	EPF/2270/4
Site Name:	The Old Rectory, Mount Road Theydon Mount, CM16 7PW
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/2270/14
SITE ADDRESS:	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Gary Littwin
DESCRIPTION OF PROPOSAL:	Application for variation of condition 3 "drawings" for EPF/0576/14 (Minor material amendment to EPF/2155/12. (Replacement dwelling)).
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568672

CONDITIONS

- 1 The development hereby permitted must be begun not later than 25 January 2016.
2. No development shall take place until details of foul and 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.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 949.10, 949.11, 949.20, 949.21B, 949.30, 949.31, 949.32, 949.33 and 949.34,
- 4 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 enlargement of the house, including any addition to its roof, and no building buildings 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.
- 5 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.
- 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved within the first planting season following the substantial completion of the house hereby approved.

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 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 in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 8 Prior to first occupation of the development hereby approved, the proposed upper floor window openings in the northern and southern flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 9 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 10 No development shall take place until wheel washing facilities for vehicles leaving the site during construction works have been installed. The wheel washing facilities shall be used to clean vehicles immediately before leaving the site.
- 11 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 08.00 to 17.00 Monday to Friday and at no time during weekends and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four 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).)

Description of Site:

The site is a proposed detached house replacing an existing house. The proposed house has been granted permission via EPF/2155/12 and minor amendments were granted via EPF/0576/14.

The application site comprises a much extended detached 2-storey house with detached garage in the Green Belt that forms part of a small group of houses of varying scales situated on the east side of Mount Road. Land levels rise to the north and east and the carriageway of Mount Road is some 1m lower than the level of the house. The site is opposite the Hill Hall Conservation Area

but not within a conservation area itself. The adjacent part of the Conservation Area is also part of a Registered Park and Garden. It is wooded and also protected by a tree preservation order.

Description of Proposal:

The application is for variation/removal of condition no 3 of EPF/2155/12. Which was for the erection of a replacement dwelling.

The condition relates to approved drawings. The proposal is to vary Drg No 949.19 to 949.21B which proposes to re-locate the approved proposed replacement house. The house would move to the south (towards the boundary with Birchfield) by 1.5m and to the east (deeper into the garden) 1.5m. The proposal does not include any changes to the size or design of the proposed house and no new windows are proposed.

Relevant History:

The site has a substantial planning history. Only that related to this application is noted below:
EPF/2423/09 – Demolition of existing dwelling and erection of new... - Refused
EPF/2155/12 – Replacement dwelling – Granted with conditions.
EPF/0576/14 – Minor material amendments – Granted with conditions.

Policies Applied:

Local Plan and Alterations

CP2	Quality of Rural and Built Environment
H 2A	Previously developed land
GB 2A	Development within the Green Belt
GB7A	Conspicuous development
GB 15A	Replacement dwellings
DBE 4	Development within the Green Belt
DBE 9	Loss of Amenity
DBE10	Residential Extensions
LL10	Protecting existing landscape features.

The above policies are in accordance with the NPPF and are to be given due weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 14
Site notice not required.
Responses received

BIRCHFIELD Theydon Mount – Object. Although in favour of redevelopment (and have not objected before) the resiting will create significant overlooking and loss of privacy to our property and affect the light to part of the rear of our property given the height of the approved dwelling.. At present the back of the approved property is roughly in line with ours, minimising overlooking. The larger windows approved in the last amendment were acceptable in this position but the change in siting results in overlooking. The siting to one side of the plot would create the appearance of a much more built up site, harmful to the Green belt. The plans are unspecific and not to scale and the council should check measurements to determine whether recently built garage block is built where it is specified on the plans or is erroneously represented.

1 BEACHETT COTTAGES - Consent was given for revised fenestration but if that had been coupled with this latest amendment it would have a detrimental impact on adjoining properties and we therefore object to any resiting of the building.

2 BEACHETT COTTAGES – Object as above.

43 BRICKFIELD COTTAGES- I am anxious that this is not part of a process effectively to achieve the substantial building that was originally envisaged and refused in 2008. Officers need to be satisfied that the proposal does not cause difficulties to adjoining properties

42 BRICKFIELD COTTAGES – Object - Having agreed the 2012 plans we believed this would be the final submission and are dismayed by the new plan being submitted. Why are the applicants now submitting radically different plans, slight amendments would be viewed sympathetically but the latest submission deviates dramatically which begs the question of their true intent.

THEYDON MOUNT PARISH COUNCIL has not commented at the time of writing report.

Main Issues and Considerations:

As the proposed new house has been granted planning permission, the only issues to be considered would be the impacts of the variation in the approved location.

The house is proposed to be moved to the east and to the south by 1.5m

The approved site plan (Drg No 949.19) indicated a distance of approximately 9m between the boundary with Birchfield (the nearest adjoining property on south) and the side elevation of the new house. The variation would result in this distance being reduced by 1.5m to approximately 7m. This will not harm the light or privacy of the neighbours at Birchfield., The two first floor side facing windows in that elevation only serve en-suite bathrooms and will be conditioned to be obscured glazed so there is no overlooking issue. The setting of the building, slightly further back on the site will not lead to any increased overshadowing or overlooking given the distances between the properties. There is in addition a screen of trees on the south boundary of the application site which increases the sense of privacy.

Conclusion:

The proposed variation which does not result in any increase in size of the dwelling or excessive impact on neighbours is considered to be in accord with adopted policies and is therefore recommended for approval subject to all other conditions from EPF/2155/12 being retained.

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: Sangeeta Dhavde
Direct Line Telephone Number: 01992 564109***

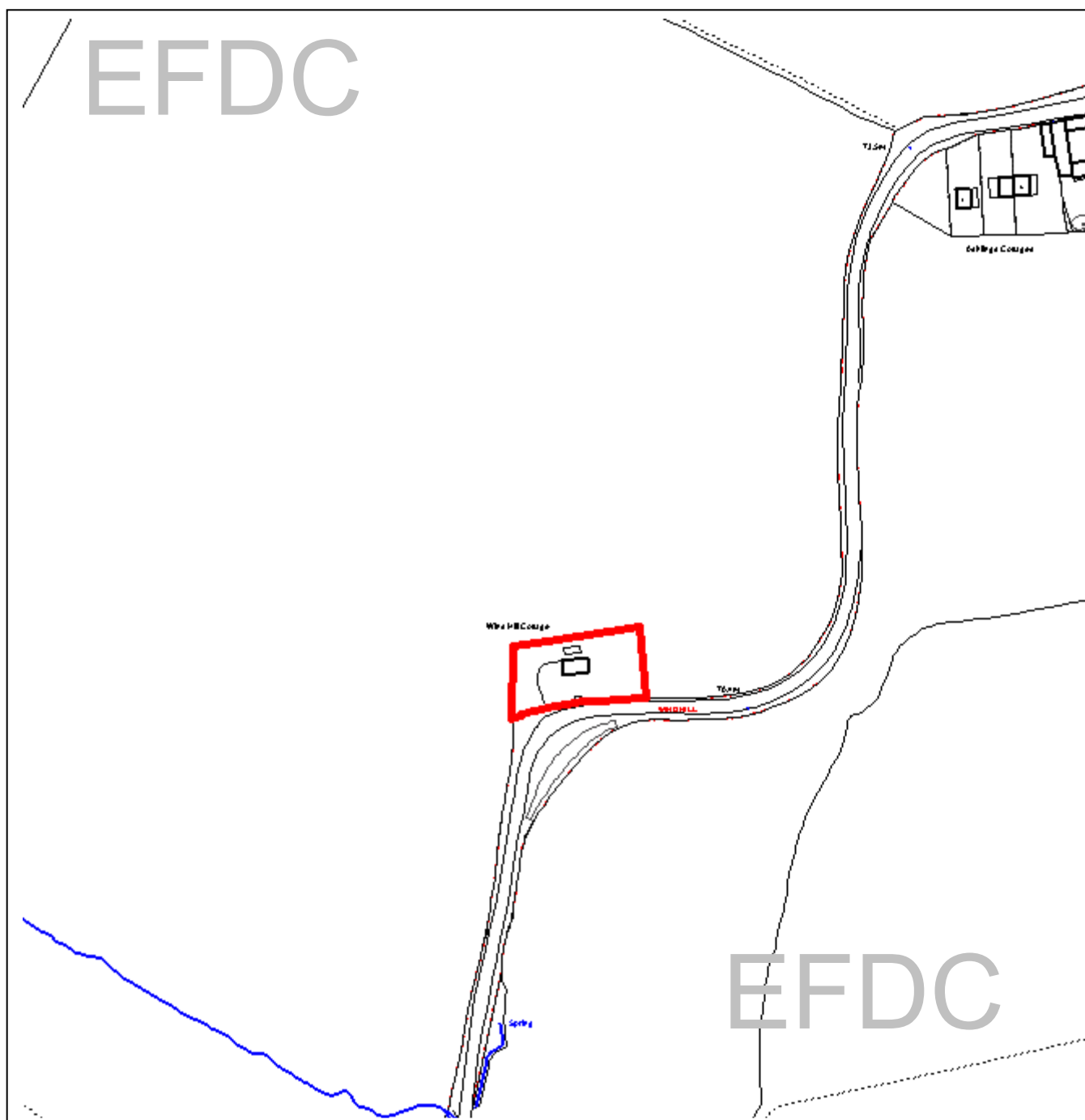
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AGENDA ITEM NUMBER 12



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Application Number:	EPF/2285/14
Site Name:	Wind Hill Cottage, Wind Hill Magdalen Laver, CM5 0EX
Scale of Plot:	1/2500

Report Item No: 12

APPLICATION No:	EPF/2285/14
SITE ADDRESS:	Wind Hill Cottage Wind Hill Magdalen Laver Ongar Essex CM5 0EX
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr Robert Radbourne
DESCRIPTION OF PROPOSAL:	Replacement dwelling and garages. Demolition of existing dwelling and outbuilding. (see EPF/0532/14 & EPF/2028/13)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568713

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 544/1A, 2A, 3A, 4A, SK "c", SK "d", location plan.
- 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 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 Class 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.
- 5 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.

- 6 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.
- 7 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

This application is before this Committee since it is an application contrary to the provisions of an approved draft Development Plan or Development Plan, and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(a))

Description of Site:

The application site is located at a very isolated location within the boundaries of the Metropolitan Green Belt. As such the immediate area is characterised by swathes of arable farmland. The plot measures approximately 55.0m x 27.0m deep and is roughly rectangular. There is a detached house on site with an outbuilding to the rear. The house sits at an elevated position above the road.

Description of Proposal:

This is a revised application following the refusal of consent for a replacement dwelling in 2013 (EPF/2285/13) and the withdrawal of a similar scheme earlier in the year (EPF/0532/14). The applicant seeks consent to demolish the existing dwelling and outbuilding and replace it with a new house and garage. The main, front part of the house would measure 13.0m wide x 6.0m deep. The rear outshoot would have a floor area measuring 6.0m wide x 5.0m deep and would be single storey. The front section would have a ridge height measuring 8.2m from the ground and eaves 4.8m. The house would be finished in render and weatherboarding with a brick plinth. A detached cat lodge style garage/store/log store would be located in the north west corner of the site.

Relevant History:

EPF/2028/13 - Replacement dwelling, including basement area, demolition of existing dwelling and outbuilding. Refuse Permission – 19/11/13.

EPF/0532/14 - Replacement dwelling, including basement area, demolition of existing dwelling and outbuilding. (Revised application to EPF/2028/13). Withdrawn by Applicant - 28/04/2014.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

GB15A – Replacement Dwellings

LL10 – Provision for Landscape retention

LL11 – Landscaping Schemes

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

Site Notice Displayed: No Objections Received.

PARISH COUNCIL: Support.

Issues and Considerations:

The main issues to consider relate to the site's location in the Green Belt.

Green Belt

Both local and national policy support the replacement of dwellings in the Green Belt in cases where the new house is not "materially larger" than the dwelling it replaces (Para. 89 NPPF). Often the Local Planning Authority will assess the increase by way of a volume calculation. The increase in this instance is as follows;

Existing Dwelling + Outbuilding - 380 cu m approx.

Proposed Dwelling - 590 cu approx (not including proposed garage)

It is accepted that under this third submitted scheme the applicant has made material reductions to the overall volume of the first submitted scheme which would have more than doubled the existing house. However on this occasion the new volume amounts to an increase of circa 64% and it is difficult to accept that such an addition does not result in a dwelling that is not "materially larger" than the one it replaces. Furthermore the application is for a replacement dwelling and appeal decisions have concluded that as the new house, once built, becomes the "original building", as described in the glossary to the NPPF, it could therefore be extended further under the NPPF as long as the extensions did not result in disproportionate additions over the "original building". It is therefore prudent for Local Authorities to be aware of this "double bite" when determining replacement dwelling applications, and not allow the replacement the same volumetric increase that would be allowed for extensions.

An increase of this volume is considered materially larger and therefore strictly contrary to policy.

Changes to the permitted development regime continue to be made and Local Planning Authorities must weigh up the option of “fallback” positions where extensions under permitted development could result in an extended house of broadly similar volume to the proposed replacement house. This can be taken into consideration if the Council believes there is a reasonable prospect of the permitted development additions being taken up.

This property currently has its full permitted development rights intact and there is nothing to suggest permitted development allowances would not be exercised. It is apparent that this dwelling could be extended on either side to a depth of 5.0m over one storey and a 3.0m extension over two storeys to the rear. It is evident that such extensions would result in broadly the same volume of dwelling as that proposed. Although no Certificates of Lawful Development (CLD's) are in place the Council can take the view that there is a reasonable prospect they would be taken up. Although a hard line view could be taken that the extensions are not in existence to be considered, a better designed building could be achieved of broadly the same volume and this is considered to justify the development. Permitted development rights can be removed so that the same fallback argument can not be exercised in the future, but it must be acknowledged that current policy would allow the replacement dwelling to have “limited” extensions in the future. The development is strictly contrary to both national and local policy on Green Belt replacement dwellings but the position of a viable fallback must be recognised.

Design

The proposed design would result in a much more bulky building, with a higher ridgeline, increasing its prominence in the landscape, but its appearance is traditional and would be generally acceptable at this location. The agreement of suitable materials by condition would result in an acceptable finish. The proposed cart lodge/garage is traditional in appearance also and is a suitable design for a rural outbuilding.

Amenity

There are no immediate neighbours and therefore no concerns with amenity.

Trees and Landscaping

Tree protection measures and details of hard and soft landscaping would be considered necessary on any approved scheme. This could be agreed by condition.

Highway Safety

No objections from the Highways Authority.

Conclusion:

The proposed development is considered contrary to both national and local Green Belt policy, as it is clearly materially larger than the existing dwelling. However a viable fallback scheme exists which could result in an extended dwelling of a similar size. Such a position is considered to material to the determination of the application and bearing in mind the support of the Parish Council and the appropriateness of the design the application is recommended for approval subject to conditions.

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: Mr Dominic Duffin

Direct Line Telephone Number: (01992) 564336

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

Report Item No: 13

APPLICATION No:	EPF/2358/14
SITE ADDRESS:	Ground Floor Unit, 134 High Street Ongar Essex CM5 9JH
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr P Hayes
DESCRIPTION OF PROPOSAL:	Change of use from retail (Use Class A1) to estate agency (Use Class A2) (Re-submission following refusal of application EPF/1141/14.)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569174

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 glazed area in the existing shop front shall be permanently retained, and it shall be used for a display purposes appropriate to a high street shopping area.

This application is before this Committee because the recommendation for approval is contrary to more than 2 objections received which are 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 premises comprise a vacant shop last used as a children's wear shop, with one floor of residential over. The property is a listed building and it lies within the Ongar conservation area.

Description of Proposal:

Change of use from retail (use class A1) to estate agency (use class A2). (Resubmission following refusal of application EPF/2358/14)

Relevant History:

EPF/2261/09 – planning permission refused for change of use from A1 retail use to A2 financial and professional use.

EPF/1141/14 – planning permission refused for change of use from A1 retail use to A2 estate agents use – see below.

Policies Applied:

TC3 - Town centre function.

TC4 – Non retail frontage.

Policies TC3 and TC4 are partially and generally compliant with the National Planning Policy Framework - the NPPF introduces more flexibility for non retail uses in shopping areas.

Summary of Representations:

ONGAR TOWN COUNCIL – No reply (the town council had no objections to the recently submitted EPF/1141/14.)

NEIGHBOURS – 46 properties consulted and 5 replies received:-.

13, KILNFIELD - object - this small high street already has 3 estate agents – we need more retail shops, not offices, to attract people to the centre. While we understand the Council is under a certain amount of pressure to help landlords fill their shops, in this particular instance, with three established estate agents already in the High Street, and because most shops are filled, this change of use is unnecessary.

27, RODNEY ROAD; FANRUSSO'S COFFEE BAR AND RESTAURANT, BUDWORTH HALL, - object on the same grounds as 13 Kilnfield above.

172, HIGH STREET – Ongar has over 30% of its High Street units in non retail use so we need to retain as many retail units as possible providing a wide range of goods. The existing 3 estate agencies in the High Street is enough. Following the first refusal earlier this year another unit 199 - 201 High Street has come onto the market and it has been let – hence this shows that there is a demand for retail units.

204, HIGH STREET – object – the property is next door to an estate agent's and is in the prime shopping area of the town. There are already too many non retail uses in the town centre.

ESSEX CC LISTED BUILDINGS ADVISOR – no objections – there are no alterations proposed to the fabric of the building and hence no harm will be caused, and re use of the building is welcomed.

Issues and Considerations:

The previous application for the same change of use was recommended for approval to the 20/8/14 meeting of this Committee – however the Committee decided to refuse the application on grounds of loss of a non retail unit in a frontage where non retail use is already in excess of 30% – and therefore the proposal would have been harmful to the vitality and viability of the town centre. However, members indicated that a way forward was that the property should be actively marketed for A1 use at an appropriate rent for a sufficient period to demonstrate that there is no retail demand for the unit.

This re submitted application is now accompanied by a letter from Chartered Surveyors Mass and Co. It states that between 2012 and 2014 the property was rented out to a hand made jewellers and children's wear retailer but both these business were short-lived. In January 2014 Mass and Co. advertised this shop unit and had enquiries from a barbers, a double glazing company, and from Balgore Hayes Ltd an estate agents. Checks on these potential users were made and Balgore Hayes provided two years excellent accounts which the others were not able to do so.

Given the erratic occupancy of the premises since 2012 it was considered that Balgore Hayes would provide stability for the landlord and the town, and their proposal was accepted. In addition a substantial number of enquiries were received from prospective hot food take away businesses, and while a higher rent could be achieved from such an operator the client was of the opinion that a hot food takeaway would not be beneficial to the surrounding residential properties, or the town since most takeaways are not open during the day.

In a policy context although policy TC3 remains in the Local Plan the National Planning Policy Framework has 'amended' this policy in that it adopts a more flexible approach in which a proscriptive or numerical approach (i.e. the 30% ruling) to dealing with applications for new business uses is not supported. In addition, in May last year, the Government, in an effort to reduce vacancy in shopping areas and promote economic activity, introduced revised regulations which allow for a shop to be used for a number of 'flexible' uses, including A2 use, for up to 2 years without the need for planning permission. Consequently, the only reason this proposal requires consent is that the building is listed. It is not considered that the change of use will adversely affect the character of this listed building. Lastly, the Government have recently issued a consultation document on a further raft of changes to planning regulations and in this they propose to include A2 uses such as estate agents and banks into a wider A1 retail use class. Clearly therefore the direction of Government policy is to remove the need for many new business to have to apply for planning permission in shopping areas - so as to reduce vacancy and increase the speed in which new businesses can start up.

5 letters have been received objecting to this proposed change of use from A1 to A2 use. 2 are from estate agents but planning controls cannot be used to control competition in the high street – in any event it is an A2 use that in effect is being applied for which includes other uses e.g. banks, accountants, and architects offices. Nevertheless, some of the points raised by objectors about loss of retail shops are sympathised with. However in the light of the above paragraphs Councils will clearly have less control over change of uses in shopping parades, and a range of flexible uses, including A2 uses, are being actively encouraged by the Government. Against this background it would be very difficult to justify a refusal of permission for this proposed A2 use.

This shop premises is a listed building. Although no physical changes are proposed in this change of use application, it is proposed to add an informative to any approval reminding the applicants that any physical changes, such as signs and shop front alterations, would require listed building consent.

Lastly, estate agents offices invariably provide shop window displays but a condition is proposed to ensure an appropriate display is provided in this ground floor unit.

Conclusions:

The current application has been accompanied by reasonable evidence to show that two retail uses in 2012 to 2014 did not succeed and that in 2014 retail businesses made a very limited response to marketing of the property as a shop unit. Having regard to this factor, and the changing policy framework introduced by the Government, it is recommended that conditional 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:

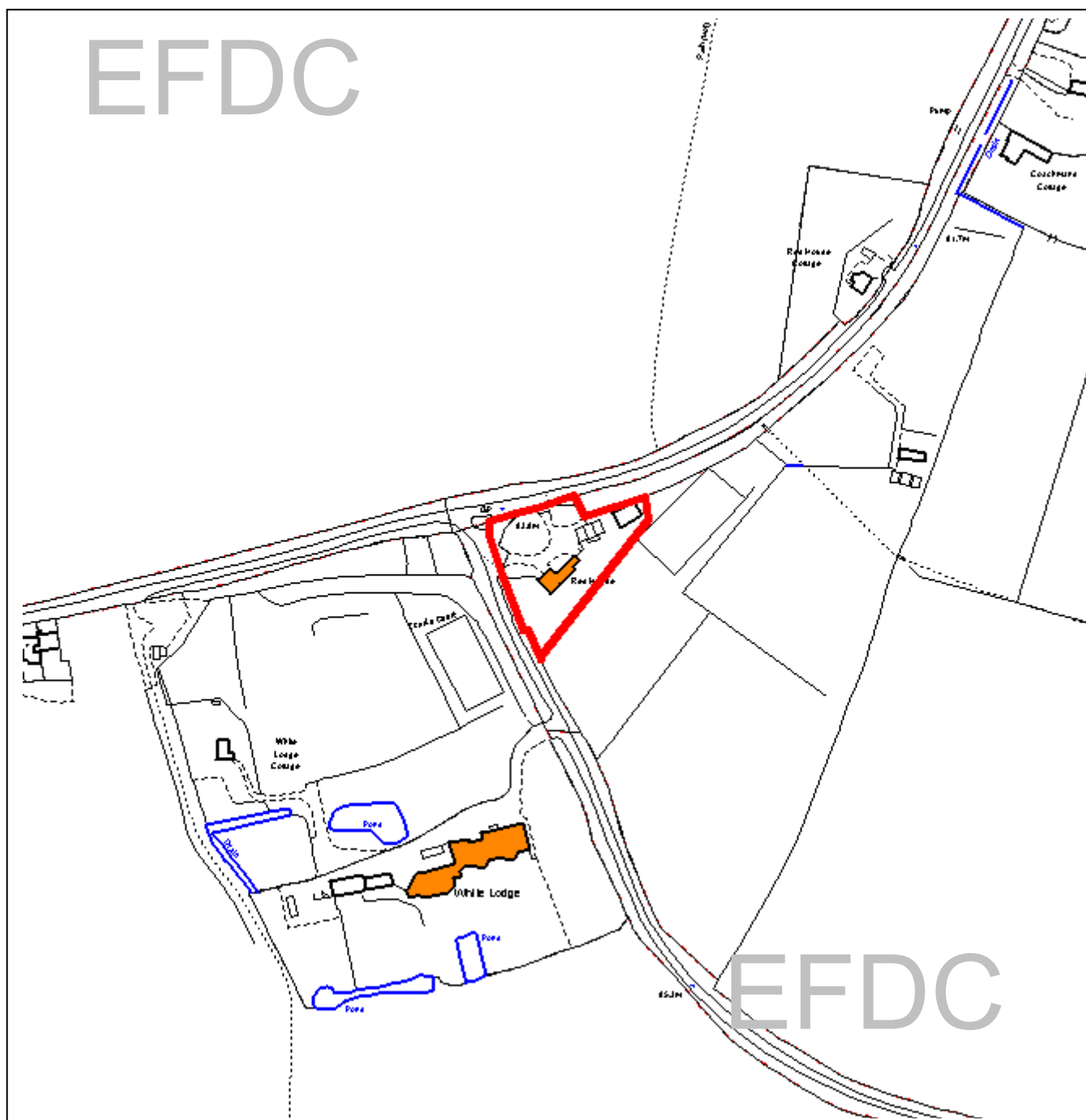
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

AGENDA ITEM NUMBER 14



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Application Number:	EPF/2386/14 & EPF/2400/14
Site Name:	Red House Farm, Little Laver Road Little Laver, CM5 0JH
Scale of Plot:	1/2500

Report Item No: 14

APPLICATION No:	EPF/2386/14
SITE ADDRESS:	Red House Farm Little Laver Road Little Laver Harlow Essex CM5 0JH
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Danielle Lamoureux
DESCRIPTION OF PROPOSAL:	Proposed rear extension.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569310

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 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.

This application is before this Committee 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))

Description of Site:

The property is a detached two storey farmhouse with a wide frontage set within a large plot at a bend in Little Laver Road. The property is Grade II Listed and has several outbuildings and a large circular in/out driveway. The property is within the Metropolitan Green Belt. The property has been altered over time, with various additions and alterations from the 18th, 19th and 20th Century.

Description of Proposal:

Consent is being sought for the erection of a two storey rear extension that has been revised in size and reduced to 1.5m deep and would extend an existing two storey rear addition constructed previously under permitted development. It would be finished with a hipped roof in line with the existing and in materials to match the existing dwelling.

Relevant History:

EPF/1079/14 - Removal of existing access, buildings and hardstanding and creation of new vehicular access, hardstanding and stable block. Retention of existing ménage and change of use of land to horse keeping. (Revised application to EPF/0060/14) - Approved
EPF/0060/14 - Proposed vehicular access, hardstanding and stable block and change of use of land to horse keeping - Withdrawn
EPF/2155/09 - Grade II listed building application for single storey side extension - Approved
EPF/1619/09 - Grade II listed building application for proposed single storey side and rear extensions - Refused
EPF/0889/09 - Alterations/extensions to front elevation and replacement side extension - Approved
EPF/0890/09 – Grade II listed building application for alterations/extensions to front elevation and replacement side extension – Approved
EPF/0891/09 – Grade II listed building application for a single storey side extension, two storey rear extension, replacement bay to rear and internal alterations – Refused
EPF/0621/09 – Grade II listed building application for proposed replacement windows and doors – Approved
EPF/0619/09 – Certificate of lawfulness for a proposed single storey side and two storey rear extension and replacement bay to rear - Issued
EPF/1820/89 – Conservatory – Approved
EPF/0103/89 – Listed Building application for erection of conservatory - Approved
EPF/1007/87 - Eight (8) stables and store - Refused
EPF/0192/80 – Erection of single storey rear extension - Approved

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
DBE9 – Impact on Amenity
DBE10 – Extensions to Dwellings
GB2A – Development in the Green Belt
HC10 – Works to Listed Buildings

The above policies form part of the Council's 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:

A Site Notice was erected on the 31st October 2014. No responses received.

PARISH COUNCIL – Object to the proposal on the grounds of overdevelopment in the Green Belt.

LAND DRAINAGE – No objections

HISTORIC BUILDINGS CONSULTANT – No objections

Issues and Considerations:

The main issues to be considered in this case are the impact of the extension on the Green Belt, listed building, character of the area and any potential impact on the living conditions of neighbouring occupiers.

The Parish Council have objected to the proposal on the grounds that with the existing extensions on the property, this proposal would constitute overdevelopment in the green belt.

This dwelling has been extended over and above the original dwelling (as of 1 July 1948 when the Town and Country Planning Act 1947 came into effect) in the way of a single storey side extension, single storey extension to an existing side addition, rear bay extension a front extension and a two storey rear extension under permitted development. The existing additions equate to an approximate 47% increase over and above the original dwelling (as of 1 July 1948).

Since the Parish Council viewed the application, the proposal has been reduced to a 1.5m deep extension at both ground and first floor level. This addition when added to the existing extensions would result in a dwellinghouse that has been extended by approximately 55% over and above the original.

Given the fact that the extension would modestly enlarge an existing rear addition, and that 3 of the already approved additions add volume at ground floor level only, officers do not consider that the proposal would materially detract from the openness of the Green Belt and increasing the volume to 55% would not cumulatively represent disproportionate additions over and above the volume of the original building in this instance.

Therefore, on balance, the proposal is considered to comply with policy GB2A of the adopted Local Plan (1998) and Alterations (2006).

Listed Building

An application for Listed Building consent has been submitted with this planning application. It was the suggestion of Essex County Council's Historic Buildings Consultant to reduce the depth of the extension to 1.5m in order for it not to appear at odds with the character of the dwelling.

The proposal would be externally finished to match the existing and the roof would incorporate a hip which is the extensions current form. Architecturally, the impact of the revised proposed extension preserves the character of the building and takes away the stubby appearance of the current extension, thus complying with policy HC10 of the adopted Local Plan (1998) and Alterations (2006).

Character and Appearance

The proposed rear extension would be 1.5m deep with a hipped roof sited to the rear of the property with materials to match. As such it is not considered that it would appear harmful to the character and appearance of the area.

The proposal would comply with policies CP2 and DBE10 of the adopted Local Plan (1998) and Alterations (2006).

Effect on living conditions of neighbours:

The nearest property is approximately 100m to the south west across the opposite side of Little Laver Road. It is therefore not considered that the proposal would have a material impact on the living conditions of that neighbouring occupier.

The proposal would comply with policy DBE9 of the adopted Local Plan (1998) and Alterations (2006)

Conclusions:

The proposed development would not be detrimental to the green belt, listed building, character and appearance of the area or to the living conditions of neighbouring residents and therefore this application complies with the relevant Local Plan policies and is 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: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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

Report Item No: 15

APPLICATION No:	EPF/2400/14
SITE ADDRESS:	Red House Farm Little Laver Road Little Laver Harlow Essex CM5 0JH
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Danielle Lamoureux
DESCRIPTION OF PROPOSAL:	Grade II listed building application for a proposed rear extension.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569390

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 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.

This application is before this Committee 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))

Description of Site:

The property is a detached two storey farm house with a wide frontage set within a large plot at a bend in Little Laver Road. The property is Grade II Listed and has several outbuildings and a large circular in/out driveway. The property is within the Metropolitan Green Belt. The property has been altered over time, with various additions and alterations from the 18th, 19th and 20th Century.

Description of Proposal:

Listed Building Consent is being sought for the erection of a two storey rear extension that has been revised in size and reduced to 1.5m deep and would extend an existing two storey rear addition constructed previously under permitted development. It would be finished with a hipped roof in line with the existing and in materials to match the existing dwelling.

Relevant History:

EPF/1079/14 - Removal of existing access, buildings and hardstanding and creation of new vehicular access, hardstanding and stable block. Retention of existing ménage and change of use of land to horse keeping. (Revised application to EPF/0060/14) - Approved
EPF/0060/14 - Proposed vehicular access, hardstanding and stable block and change of use of land to horse keeping - Withdrawn
EPF/2155/09 - Grade II listed building application for single storey side extension - Approved
EPF/1619/09 - Grade II listed building application for proposed single storey side and rear extensions - Refused
EPF/0889/09 - Alterations/extensions to front elevation and replacement side extension - Approved
EPF/0890/09 – Grade II listed building application for alterations/extensions to front elevation and replacement side extension – Approved
EPF/0891/09 – Grade II listed building application for a single storey side extension, two storey rear extension, replacement bay to rear and internal alterations – Refused
EPF/0621/09 – Grade II listed building application for proposed replacement windows and doors – Approved
EPF/0619/09 – Certificate of lawfulness for a proposed single storey side and two storey rear extension and replacement bay to rear - Issued
EPF/1820/89 – Conservatory – Approved
EPF/0103/89 – Listed Building application for erection of conservatory - Approved
EPF/1007/87 - Eight (8) stables and store - Refused
EPF/0192/80 – Erection of single storey rear extension - Approved

Policies Applied:

HC10 – Works to Listed Buildings

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 policy is broadly consistent with the NPPF and therefore is afforded full weight.

Consultation Carried Out and Summary of Representations received:

A Site Notice was erected on the 31st October 2014. No responses received.

PARISH COUNCIL – Object to the proposal on the grounds of overdevelopment in the Green Belt.

HISTORIC BUILDINGS CONSULTANT – No objection - Originally the application was for an oak framed addition with an overhang at the first floor and half hipped roof which was deemed to be unacceptable as the proposal would have a negative impact on the character of the listed building. Subsequently the application has been amended, taking into account the character of the building and the revised application is for a 1.5m extension to the 21st century addition. The proposal will be externally finished to match the existing and the roof will incorporate a hip which is the extensions current form.

Architecturally, the impact of the revised proposed extension preserves the character of the building and takes away the stubby appearance of the current extension; therefore in principle it is recommended that consent is granted.

Issues and Considerations:

The main issue to be considered in this case is the impact of the extension on the character of the listed building.

HC10 requires any proposal not to detract from the historic interest or architectural character, appearance and setting of a listed building. The County Council Historic Buildings Consultant has no objection to this proposal now that the application has been amended to take into account the character of the building. The revised application is for a 1.5m extension to the 21st century addition. The proposal will be externally finished to match the existing and the roof will incorporate a hip which is the extensions current form.

Architecturally, the impact of the revised proposed extension preserves the character of the building and takes away the stubby appearance of the current extension.

In light of the above advice, the proposal is considered to comply with policy HC10 of the adopted Local Plan (1998) and Alterations (2006).

Conclusions:

The proposed extension is acceptable development that accords with adopted planning policy. It is therefore recommended that conditional listed building consent 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:

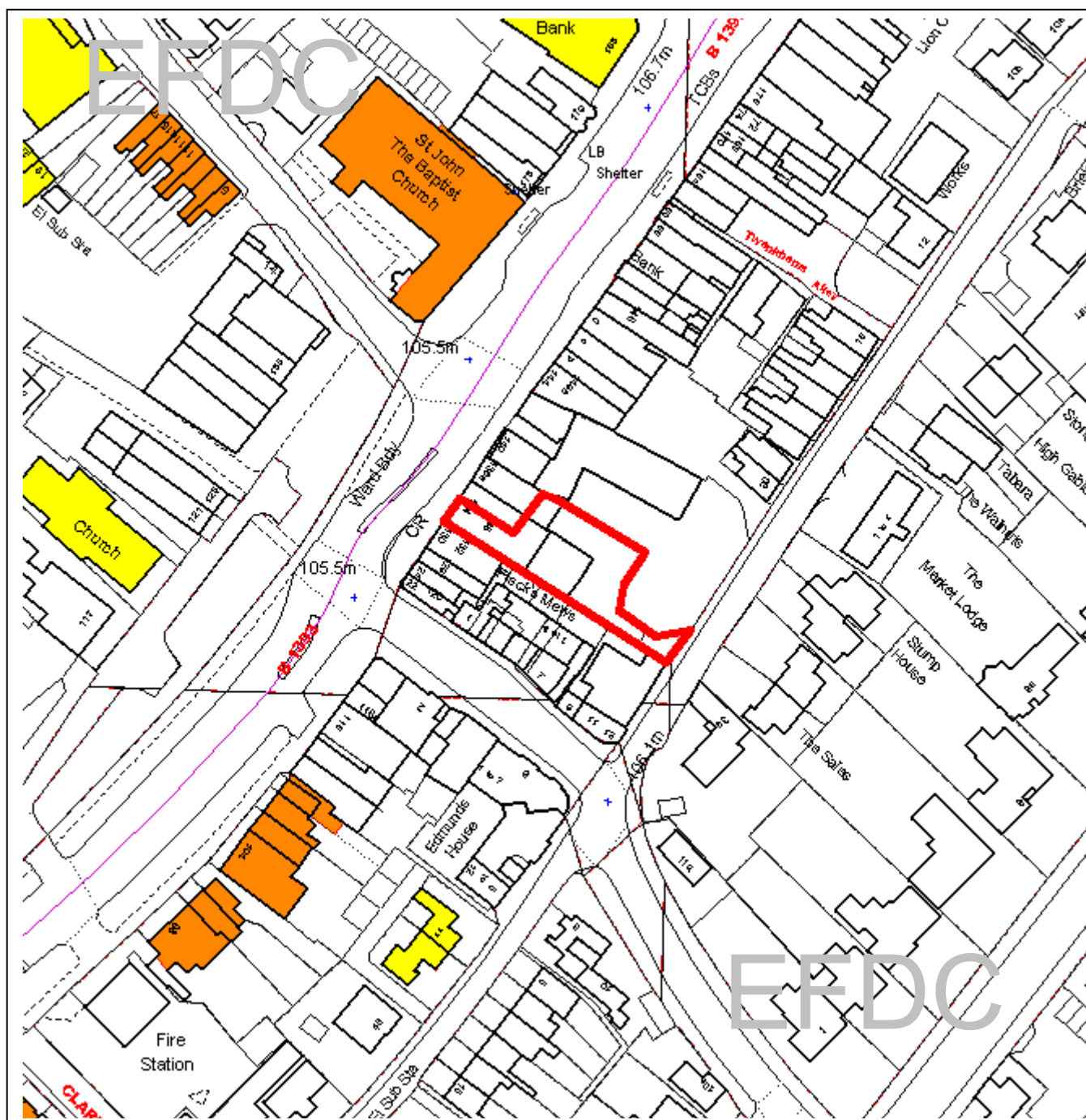
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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



Epping Forest District Council

AGENDA ITEM NUMBER 16



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Application Number:	EPF/2456/14
Site Name:	134 - 136 High Street, Epping CM16 4AG
Scale of Plot:	1/1250

Report Item No: 16

APPLICATION No:	EPF/2456/14
SITE ADDRESS:	134 - 136 High Street Epping Essex CM16 4AG
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Alan Poulton
DESCRIPTION OF PROPOSAL:	Change of use of existing unit to a use within class A2. Re-submission of EPF/1093/14 following refusal.
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/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569713

CONDITIONS

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

This application is before this Committee 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)) and;

Since the recommendation conflicts with a previous resolution of a Committee (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(i))

Description of Site:

The application site is located within the town centre of Epping and is also within the designated Key Frontage. The unit has a frontage of approximately 7.5m and has a lawful use as a drop in centre for young people including counselling and advice services. The unit is within the local Conservation Area and is close to the High Street junction with Station Road. The units on either side are occupied by a Funeral Director Service (A1) and an Estate Agents (A2).

Description of Proposal

This is a revised application following the refusal of consent for the same scheme earlier in the year (EPF/1093/14) at Area Plans East Committee. The applicant seeks consent to change the use of the unit to a use within Class A2 (Financial and Professional Services) of the Use Classes Order. The previous application was refused for the following reason;

“The proposed change of use results in the loss of an important community facility which is not provided elsewhere. It has not been proven that the use is no longer viable or needed in its current location. As such the proposal is contrary to policy CF12 of the adopted Local Plan. In addition, change of use to A2 is inappropriate within the key retail frontage where, should the community use cease, A1 retail use should be reinstated to maintain 70% retail use and the vitality and viability of the Town Centre, in accordance with policy TC4 of the adopted Local Plan and Alterations”.

Relevant History:

EPF/0130/11 - Change of use of shop premises as a one stop shop for young people providing information, advice, formal and informal education services, positive recreational activities, mentoring and counselling service. Grant permission with conditions - 17/03/2011.

EPF/0235/13 - Alteration of shop front following sub division of unit to form two A1 shops. Grant permission with conditions - 28/03/2013.

EPF/1093/14 - Change of use of existing unit to A2. Refuse Permission - 28/08/2014. Currently under appeal - APP/J1535/A/14/2227111

Policies Applied:

TC1 – Town Centre Hierarchy

TC4 – Non- Retail Frontage

HC6 – Character, Appearance and Setting of Conservation Areas

HC7 – Development within Conservation Areas

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: Objection. Notwithstanding the fact that the existing occupants have found alternative premises, this premises was, prior to this use an A1 unit. Concern was expressed that there appears to be an irreversible trend of reducing the size of A1 units or converting them to A3/A5 uses or in this case A2. If this continues the long term vitality of the town centre is in jeopardy. This proposal will have a detrimental impact on the vitality and viability of the town centre and reference must be made to Policy TC3 as the 30% limit to non retail in the Key Frontage must be exceeded at this stage.

4 neighbours consulted and site notice displayed: 0 replies received.

Issues and Considerations:

The main issues to consider relate to potential impact on the vitality and viability of the town centre and whether the previous reason to withhold consent has been overcome.

The application was refused for the reason set out above and is essentially twofold. Firstly that a community facility of some local importance will be lost and as such would be contrary to local plan Policy CF12. Furthermore concern was expressed that the reverting to an A2 use would fail to maintain 70% retail uses along the Key Frontage of the High Street. Each strand of the refusal shall be addressed in turn.

Community Facility

Information has been submitted as part of this application from Mr Dolan of "The Box" stating that the new premises for the use to operate are being refurbished and they will be moving in during the Christmas Break ready to open again for the January term. They will therefore have fully vacated the application premises by 31st December. It is therefore considered that the previous concern about the loss of this valuable community facility no longer applies and the first element of the refusal has therefore been overcome.

Vitality and Viability

Consent was granted in 2011 for the community facility subject to the following condition;

"The premises shall be used for the purpose described in the application and for no other use, and when this approved use ceases, the premises shall revert to A1 retail use only."

Reason:- The permission is granted as the use is of benefit to the community and to the vitality of the shopping centre".

The reasoning for the condition was that the use was of community benefit but if it ceased to operate at these premises then a strong retail element on the High Street should be supported by ensuring this unit returned to A1. The applicant makes reference to changes to Permitted Development regulations which encourage, for a limited period, ease of movement between the various use classes. This includes a change of use from (D1) existing use to (A2) proposed use as highlighted by the applicant. Whilst the changes do encourage greater flexibility of movement national policy also requires Local Authorities to define primary and secondary frontages and to craft policies which clearly outlines what uses are suitable in such locations.

Officers have previously taken the view that having regard to the above permitted development changes and the fact that there would be no net loss of an A1 unit this scheme is justifiable. This is particularly true as The Box has found a new place to operate from. At present the level of A1 uses in the defined Key Frontage is 67.5% which given the raft of permitted development changes is relatively high. Indeed the town centre is for the most part in a healthy state. The reverting of this unit to retail would result in an increase in the Key Frontage of A1 uses to 68.5%. As stated in this case there will be no net loss of an A1 unit and the planning system continues to move towards greater flexibility of movement between the classes.

In addition the applicant has an existing local A2 business (Mullocks) that wishes to vacate their current first floor premises and move into a ground floor location where they will be more visually prominent and attract more trade. This in turn will free up an upper floor unit for potential residential use, which is appropriate in town centres. Therefore although the previous decision, and the concern of the Town Council, is noted the application is respectfully put before Members once more for reconsideration. The granting of consent is considered to be in line with the more flexible approach to town centre occupancy as advocated by Central Government and will aid an existing local business which is appropriate within a high street location. Although the desire to retain a high level of A1 occupancy is understood it is considered that the proposed use is justifiable having regard to the policy shifts and circumstances as outlined above.

Conclusion:

In light of the above appraisal it is considered the proposed development is acceptable and is therefore recommended for approval with conditions.

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: Mr Dominic Duffin

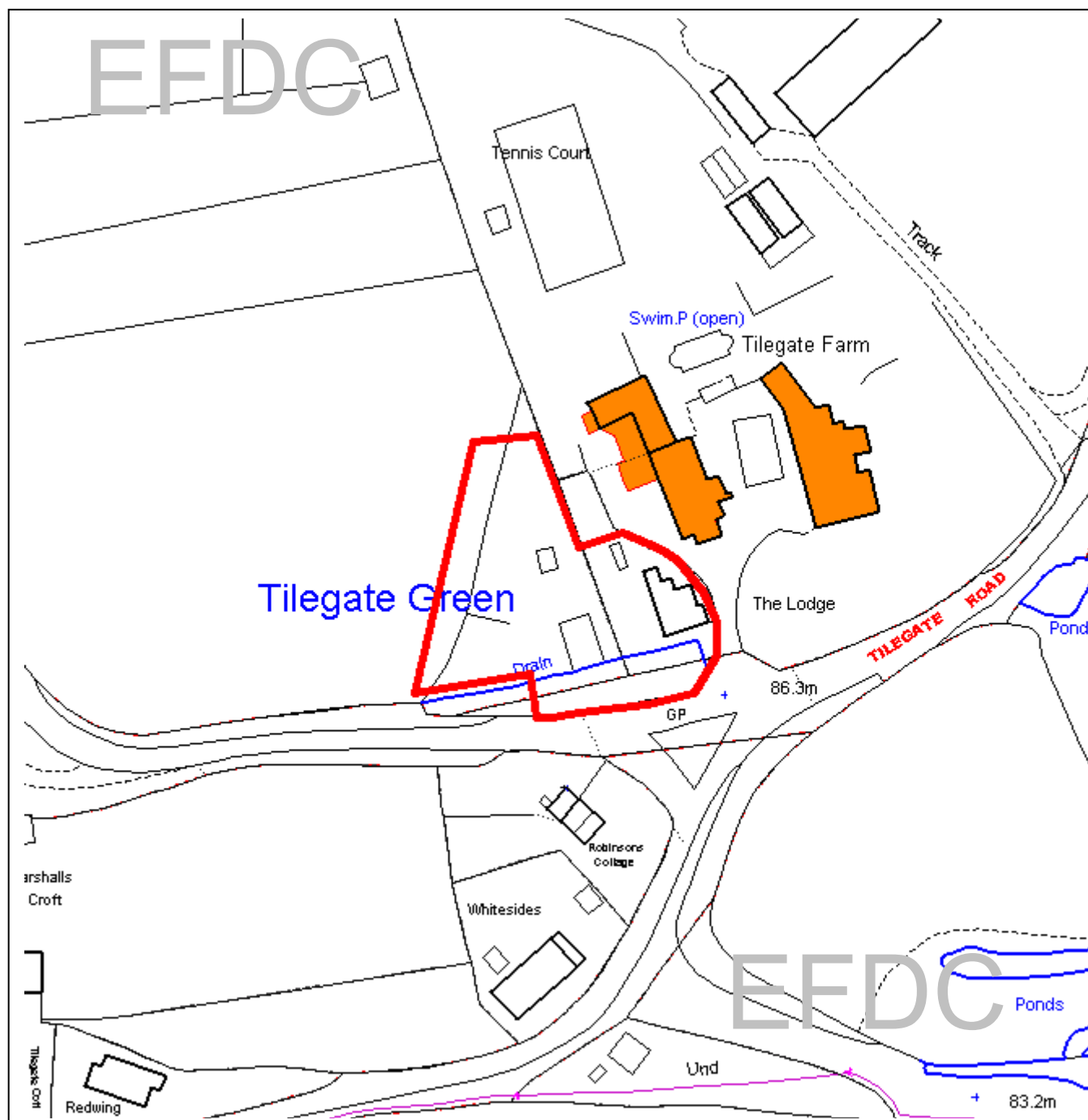
Direct Line Telephone Number: (01992) 564336

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

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Epping Forest District Council

AGENDA ITEM NUMBER 17



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Application Number:	EPF/2514/14
Site Name:	Tilegate Lodge, High Laver CM5 0EA
Scale of Plot:	1/1250

Report Item No: 17

APPLICATION No:	EPF/2514/14
SITE ADDRESS:	Tilegate Lodge High Laver Ongar Essex CM5 0EA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr & Mrs Tony Finch
DESCRIPTION OF PROPOSAL:	Change of use of land from agricultural to residential garden land, and remodelling and extension including basement and associated landscaping. (Revised application to EPF/1970/14)
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570010

CONDITIONS

- 1 Materials to be used for the external finishes of the proposed development shall be as detailed on the submitted plans and particulars, unless otherwise agreed in writing by the Local Planning Authority.
- 2 No further development shall take place until details of foul and 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.
- 3 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 E and F (outbuildings and hardsurfacing) of Part 1 of Schedule 2 to the Order shall be undertaken within the extended garden area as identified on the submitted plans without the prior written permission of the Local Planning Authority.
- 4 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 5 Prior to any further works on site 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.

- 6 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.
- 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.

This application is before this Committee since it has been 'called in' by Councillor Boyce (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h)).

Description of Site:

The application site, Tilegate Lodge is within a small enclave of dwellings located within the Green Belt at Tilegate Green. The original Lodge House was a small single storey dwelling at the entrance to Tilegate Farm which includes a number of listed buildings. As existing, the application property has been remodelled and extended and the garden area has been expanded to the west taking in an area of agricultural land and a vehicular access.

Description of Proposal:

The application under consideration is for the remodelling of the house including significant extensions at ground floor rear measuring 8 metres in depth and a 5m wide by 10m deep side extension to the north elevation. The works also include alterations to the roof (resulting in a slight reduction) the provision of a porch to the southern elevation and the creation of a basement under the rear extension. The proposal also includes the enlargement of the garden of the property to take in an area of agricultural land that was served by an existing vehicular access. The proposal also includes the demolition of some dilapidated sheds which were located towards the rear of this extended garden area.

The works have largely been carried out but have ceased for now pending the outcome of this application.

Relevant History:

EPF/0038/11 - Certificate of lawful development for a proposed side and rear single storey extension. (Revised application). Lawful: 08/03/11.

EPF/1174/13 - Certificate of lawful development for existing use of land as residential garden. Not Lawful: 16/09/13.

EPF/1741/13 - Prior approval application for an 8m deep single storey rear extension. Not Lawful: 11/09/2013.

EPF/2473/13 - Construction of detached garage and change of use of land from agriculture to create new enlarged garden area. Withdrawn - 07/02/2014.

EPF/1970/14 - Change of use of land from agricultural to residential garden land, erection of a two storey rear extension (ground floor and basement area) double garage, greenhouse/garden shed and associated landscaping. Refuse Permission - 09/10/2014.

Enforcement

ENF/0197/13 - Amount of development on site exceeds that shown on CLD's submitted. Ongoing.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 - Design in the Green Belt
GB2A – Green Belt Restraint
GB4 – Extension of Residential Curtilages
GB7A – Conspicuous Development
ST4 – Road Safety
LL11 – Landscaping Schemes
RP3 – Water Quality

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: No Objection.

3 neighbours consulted: 1 reply received.

TILEGATE BARN: Comment. I do not object to this application if the points I am highlighting are addressed. I have concerns that the applicant has encroached onto my land and “claimed” the land above a piped ditch.

The permitted development allowances clearly state that only 50% of land around the original house, including outbuildings, can be built on and this has clearly been exceeded. I would like to see restrictions in place removing permitted development rights for outbuildings. I feel the fill in of the extensions from the north and to the west should have a flat roof carried around from the 8.0m extension from the rear of the property. Contrary to the submission there are 3 windows on the west elevation of my property. I am pleased that the screening trees have been removed and the roof is flat closest to my property which will reduce impact. These are the combined views of me and the occupant of Tilegate Farmhouse.

Issues and Considerations:

This is a revised application following refusal of a scheme in October (EPF/1970/14). This scheme was for the following works;

“Consent is sought to extend the dwelling and construct a garage and outbuilding within the red line area. This area would also change use to garden land.

The house would be extended by the addition of an 8.0m extension to the rear (western) elevation. This would be part flat roofed part hipped. A side extension measuring 10.0m x 5.0m with a double hipped roof would project from the side elevation (north). A small flat roofed section would be positioned between this extension and the existing house. A basement area would be constructed below ground level.

An outbuilding which would have a footprint measuring approximately 11.5m x 8.0m would be built along the western boundary of the site. This would be part car port/part machinery storage area and would have a ridge level measuring 4.0m.

Towards the rear of the site a greenhouse/garden shed would be constructed. This would have a footprint measuring 7.0m x 6.5m with a ridge level of 4.0m. This is not referred to in the submitted documentation but is shown on the plans.

As stated the area within the red line on the submitted location plan would change use to residential garden. The driveway area would be retained and a patio area would be laid adjacent to the western boundary of the house”.

The application was refused consent for the following reason;

“The proposed extensions whilst adding significant volume to the dwelling can be justified in Green Belt terms owing to a viable “fallback” position. However the proposed additions to the dwelling result in the need for additional garden land and ancillary outbuildings to serve the property outside of the established curtilage. Whilst the extension to the residential curtilage can be justified in this case, it is considered that the amount of ancillary floorspace provided by the two outbuildings results in an excessive provision which would have a detrimental impact on the open character of the Green Belt. Furthermore the positioning of the garage/machinery store at the western boundary of the site results in an excessive encroachment into an undeveloped part of the Metropolitan Green Belt which is contrary to local plan policy GB2A and national guidance contained in the NPPF”.

The main issues to consider with this application relate to the site’s location in the Metropolitan Green Belt, the planning history, design, amenity and the comments of consultees.

Planning History/Green Belt

It should be firstly stated that works commenced to the house following the approval of a Certificate of Lawful Development in 2011 and there is an ongoing Enforcement investigation into these works which indicates that they go beyond what was consented and beyond what is lawful. This application has been made to regularise activities and to agree a suitable development for this site.

The property is within the Metropolitan Green Belt and as such both local and national policies of restraint apply. Following adoption of the National Planning Policy Framework (NPPF) local plan policies can be afforded due weight if consistent with this national guidance. The relevant local Green Belt policies are broadly consistent with national guidance and can therefore be afforded due weight.

In 2008 the Government introduced changes to the permitted development regime and changes continue to be made through the Prior Notification process which permits extensions to detached dwellings, up to 8 metres in depth. This property benefits from a certificate to undertake side and rear extensions to the house (EPF/0038/11).

Both local and national policy permits the extension to a dwelling which does not result in disproportionate additions over the original house. There is little doubt that what is proposed here is not policy compliant. Even a cursory examination of the plans indicates a more than doubling of the volume of the house and this could not be considered proportionate. Therefore a case for “very special circumstances” is required. This is recognised in the submitted Supporting Statement and the case for very special circumstances largely relies on what could have been built on site under the various permitted development channels. In effect, that a viable “fallback” position exists.

It is clear that the original dwelling could have been considerably extended under permitted development at ground floor to a volume not dissimilar to the above ground volume that has been built, however the development as existing is not lawful as it includes a basement area and is technically therefore more than one storey and not permitted.

However the building proposed and largely constructed is not significantly larger than could have been achieved as permitted development and has no greater impact on the openness of the Green Belt and is therefore considered acceptable in Green Belt terms.

A neighbour has raised concern that the development takes up more than 50% of the original curtilage of the dwelling and would not therefore be permitted, this is marginal and if the existing glasshouses were removed then a similar footprint of development would have been lawful.

Extended Garden Area

The original garden area for this property was disproportionately small and the house technically had no vehicular access or parking area. The applicants have adopted into their garden area an additional area of land which has a vehicular access, in addition they cleared a much larger area of land to the west and installed a concrete base for the erection of a garage on the assumption that as the land was included within the parcel they had purchased it was lawfully garden and the base and garage could be constructed as Permitted Development.

Following an enforcement investigation a CLD and subsequently a planning application were refused and subsequently the applicant has removed the concrete base. The proposal is now just for garden use of this enlarged area and removal of existing dilapidated buildings. A detailed garden plan has been submitted indicating the extent of the hardsurfacing proposed and much of the land is laid to lawn. A hedge has already been planted to separate this proposed garden area from the remaining agricultural field beyond.

Policy GB4 of the Local Plan allows for garden extensions in the Green Belt where they are well related to surrounding gardens and not excessive in size.

Whilst the proposed garden area is relatively large it is not excessive in relation to others in the locality and has no adverse impact on the openness of the Green Belt or the character and amenity of the area, subject to the removal of permitted development rights for further hardsurfacing and outbuildings and retention of a clear boundary between this area and the adjacent field within the same ownership to prevent further incursion.

The removal of the buildings from the proposal overcomes the previous reason for refusal of this extended garden and it is now considered to be in accord with policy.

Design/Setting of Listed Building

The proposed alterations and extensions result in significant alterations to the original house. However from a design perspective what is proposed is generally acceptable. The design would follow the form of the original dwelling, and would not appear out of character in a rural location. The rear flat roofed section is more modern in appearance but considered acceptable. There are two Listed Buildings across the boundary of the site but there is suitable separation such to ensure that the proposed building would be read in an individual context and it is not considered that their special setting would be seriously compromised.

Amenity

There is only one immediate neighbor of this development but as the development is generally low set it would have no serious impact on amenity. There is quite a bit of development proposed at the site but this should not result in a marked increase in disturbance which would significantly harm amenity. There would be no serious loss of outlook from the neighbouring property or significant overshadowing.

Highways

There are no objections from the Highways Authority subject to appropriate conditions.

Neighbour Comments

The immediate neighbor at Tilegate Barn has raised concern about the boundary of the property and that there has been encroachment onto his land. However, boundary issues are a civil, rather than a planning matter.

Conclusion:

The proposed development has overcome previous areas of concern and the extensions to the dwelling are broadly similar to what could have been constructed under permitted development. It is therefore recommended that consent is granted subject to conditions, including the removal of permitted development rights for outbuildings.

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: Mr Dominic Duffin

Direct Line Telephone Number: (01992) 564336

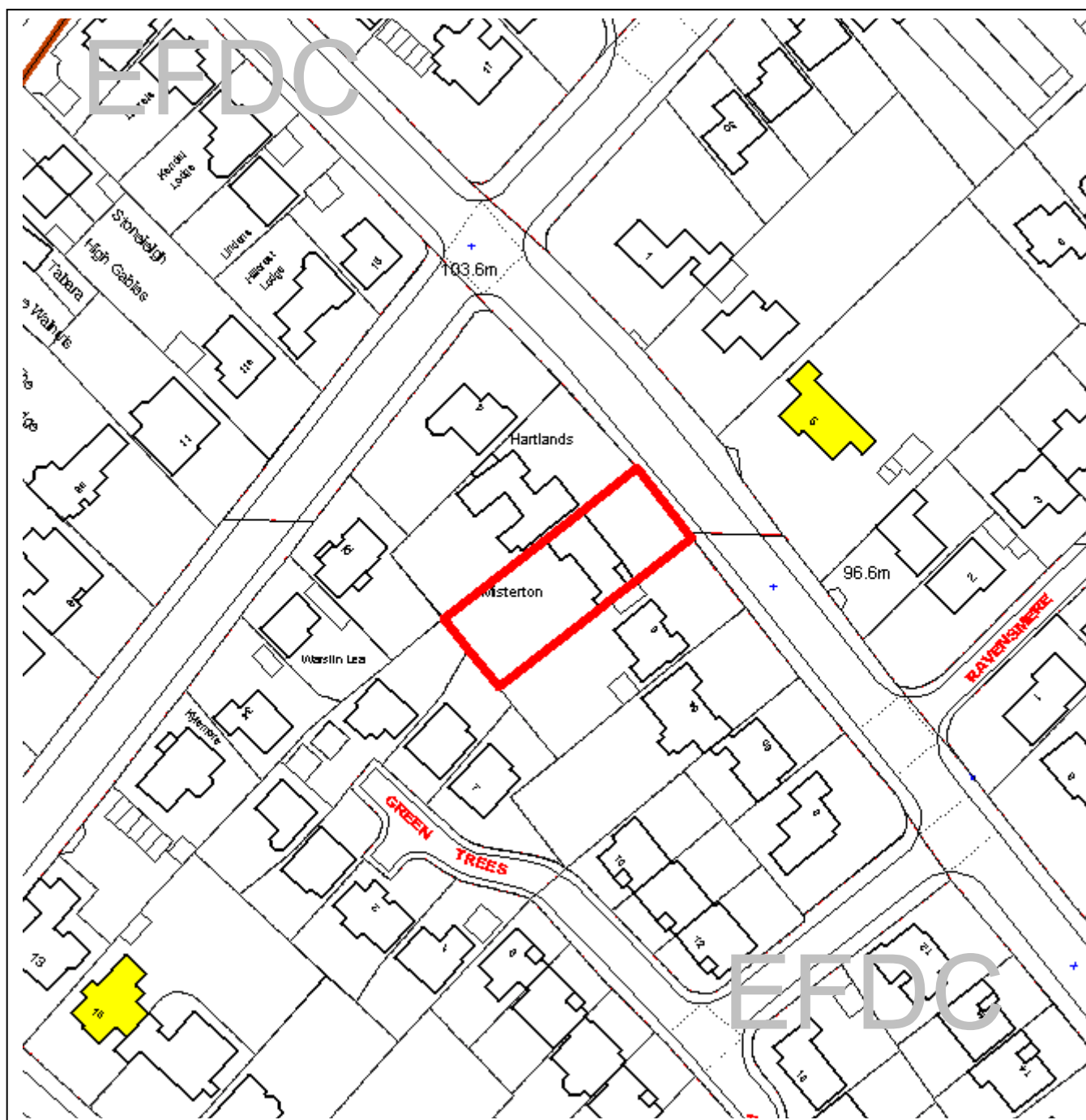
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AGENDA ITEM NUMBER 18



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Application Number:	EPF/2527/14
Site Name:	Misterton, Kendal Avenue Epping, CM16 4PN
Scale of Plot:	1/1250

Report Item No: 18

APPLICATION No:	EPF/2527/14
SITE ADDRESS:	Misterton Kendal Avenue Epping Essex CM16 4PN
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr D & J Miller & Stanley
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension with juliet balcony, single storey rear extension and loft conversion with two front and two rear dormer windows and roof lantern to front gable.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570073

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 Materials to be used for the external finishes of the proposed development shall match those stated in section 11 'Materials' of the submitted householder application form, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee 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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application property is a two-storey detached house, within the built up area of Epping. It is not Listed nor in a Conservation Area. The house is set off its north western boundary with 4a Kendal Avenue (Hartlands) by approximately 600mm and a flat roof attached garage abuts the boundary with 6 Kendal Avenue to the southeast.

Ground levels around the site rise to the northwest and fall to the southeast.

Description of Proposal:

Consent is sought for a two storey side/rear extension with Juliet balcony, single storey rear extension and loft conversion with two front and two rear dormer windows and roof lantern to front gable.

In addition, an existing first floor rear window is to be changed to include a Juliet balcony. Windows are to be altered and an additional window would be added to the front elevation. These elements could take place without the need for planning permission.

Relevant History:

None

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

National Planning Policy Framework

Summary of Representations:

7 Neighbouring properties have been notified. Two properties have objected as follows:

5 GREEN TREES – Object on grounds that the house backs onto their house; there are clear views of each others bedrooms; would not be happy to see additional or enlarged windows overlooking us especially from the roof; these additional windows would offer a direct view into our kitchen, dining room, living room and garden.

6 GREEN TREES – Object on the grounds that their property lies directly behind and built on lower lying ground. Our principal accommodation is situated at the rear of our property; the proposed extensive upstairs rear windows will afford the occupants a direct view into all of our principal rooms compromising our privacy; concerned about the size of the large first floor windows with Juliet balconies and rear dormer windows as the extra height of these windows will allow a clear view into all of our rear accommodation and our garden patio area; the privacy issue from these particular windows could be offset by the use of obscured glazing or with Velux type windows; ask that the mature trees bordering our property are required to remain.

EPPING TOWN COUNCIL – OBJECTION – The committee does not object to the principle of the 2 storey side extension proposed in this scheme, or the rear infill single storey extension. Committee does object to the proposal to include roof dormers at the front and particularly at the rear of the property in the proposed loft conversion/second floor. The dormers would constitute un-neighbourly development for the reason that they would be overlooking neighbouring properties in a way that would result in an excessive loss of amenity for neighbouring properties especially those to the rear of the property in Green Trees, contrary to policy DBE9.

EPPING SOCIETY – OBJECTION – The extension would have a negative impact on the street scene; the separation between the neighbours will be diminished by the large increase in height at the boundary; roof lantern is unsightly; dormers will overlook neighbour.

Main Issues and Considerations:

The main issues that arise with this application are the potential impact to the character and appearance of the area in terms of design and potential adverse impact on the living conditions of neighbouring properties.

Character and Appearance

The front elevation would be seen in the context of its detached neighbours to both sides.

The existing garage would be removed and replaced with a two storey side extension set off the shared boundary with 6 Kendal Avenue by 1m. The house to the left hand side is on lower ground but its main bulk is set away from the shared boundary by approximately 5m due to a flat roof garage between.

The house to the right is set closer to the boundary, is single storey at this point with a two storey element adjacent to its north western boundary.

The two proposed dormers are modest in size and sit comfortably within the front roofslope. The roof lantern, whilst extending above the ridge line would not appear so at odds with either the host dwelling or surrounding area to justify a refusal. The front canopy proposed is acceptable. The alterations to the fenestration are considered to be in keeping with the host dwelling and street scene.

Large trees to the front of the dwelling obscure much of the front elevation when viewed from, the street.

The design of the extensions to the rear is not considered to materially detract from the character and appearance of the host dwelling as they appear in proportion. Again the rear dormers are subordinate to the rear roof slope.

Within this context, the design of the proposed works is considered acceptable and would comply with policies CP2 and DBE10 of the adopted Local Plan (1998) and Alterations (2006)

Living conditions

The proposed first floor rear windows would have views towards the rear gardens and windows of 5 and 6 Green Trees.

Although Juliet balconies are proposed these would not result in a materially greater level of overlooking or loss of privacy than standard windows as it has long been considered that the loss of privacy is not materially greater.

This may well be reflected in the fact that the Juliet balconies can replace existing rear windows without the need for planning permission.

Notwithstanding the above, importantly in this case are the distances between the properties. The rear of the property at No. 6 Green Trees is no closer than 36m at its nearest point (No. 5 Green Trees is in excess of 40m). In response to this, the Essex Design Guide 2005 considers that with regards to rear privacy, a minimum of 25m may be acceptable. It argues further that where new development backs on to the rear of existing housing the rear of new houses may not encroach any closer than 15m to an existing rear boundary. Although this is not a new dwelling, the proposal would result in additional windows however there would still be a distance of in excess 25m to the rear boundary which comfortably meets this guidance.

Although complying with guidance, as part of the site visit an assessment was made from the first floor windows of the application dwelling and it is not possible, with the existing level of screening on the rear boundaries to look into the rear gardens of these properties due to the angle involved and the windows of these properties are too far from the rear windows of the application dwelling to result in a material loss of privacy or overlooking.

With regards to the rear dormers, whilst these would be at a higher level these would be approximately 39m at their closest point from the rears of the Green Trees properties and approximately 29m from the rear boundaries. One of the dormer windows would serve a stairwell. It is not considered that the siting of these dormers at this distance from the neighbouring properties along Green Trees would result in a material loss of privacy or material level of overlooking. Furthermore, the dormer windows could be inserted without the need for planning permission, under permitted development.

The neighbour at No. 6 Green Trees has asked for reassurance for the trees that border her property to be retained, however there is an existing 2m high fence separating the plots and although the existing trees do provide some level of screening it is not considered necessary in order to make the proposal acceptable given the distances involved.

The first floor extension would be set 1m off the side boundary with No, 6 Hartlands and whilst it would bring fenestration closer and increase overlooking into his garden, the properties are within a suburban context where mutual overlooking across neighbouring gardens is accepted and it is not considered that the increase would be significant.

In terms of bulk, the subject dwelling is on higher ground and the extension would be visible from the rear garden of this neighbour coming closer than the existing first floor bulk. However it is not considered that it would appear overbearing in relation to this neighbour given the separation between the properties.

The works to the rear would not result in any material harm to the neighbour at Hartlands to the northwest due to a combination of existing tree screening within his property and the depth of his property in relation to the subject dwelling,

Therefore in light of the above, the proposal is considered to comply with DBE9 of the Local Plan (1998) and Alterations (2006) and guidance laid out in the Essex Design Guide 2005.

Conclusion:

The proposals are considered acceptable in design terms and impacts to neighbouring amenity are not to the significant degree required to justify refusal. The proposals are akin to many considered appropriate throughout the District and accordingly Officers recommend 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: Steve Andrews
Direct Line Telephone Number: 01992 564337

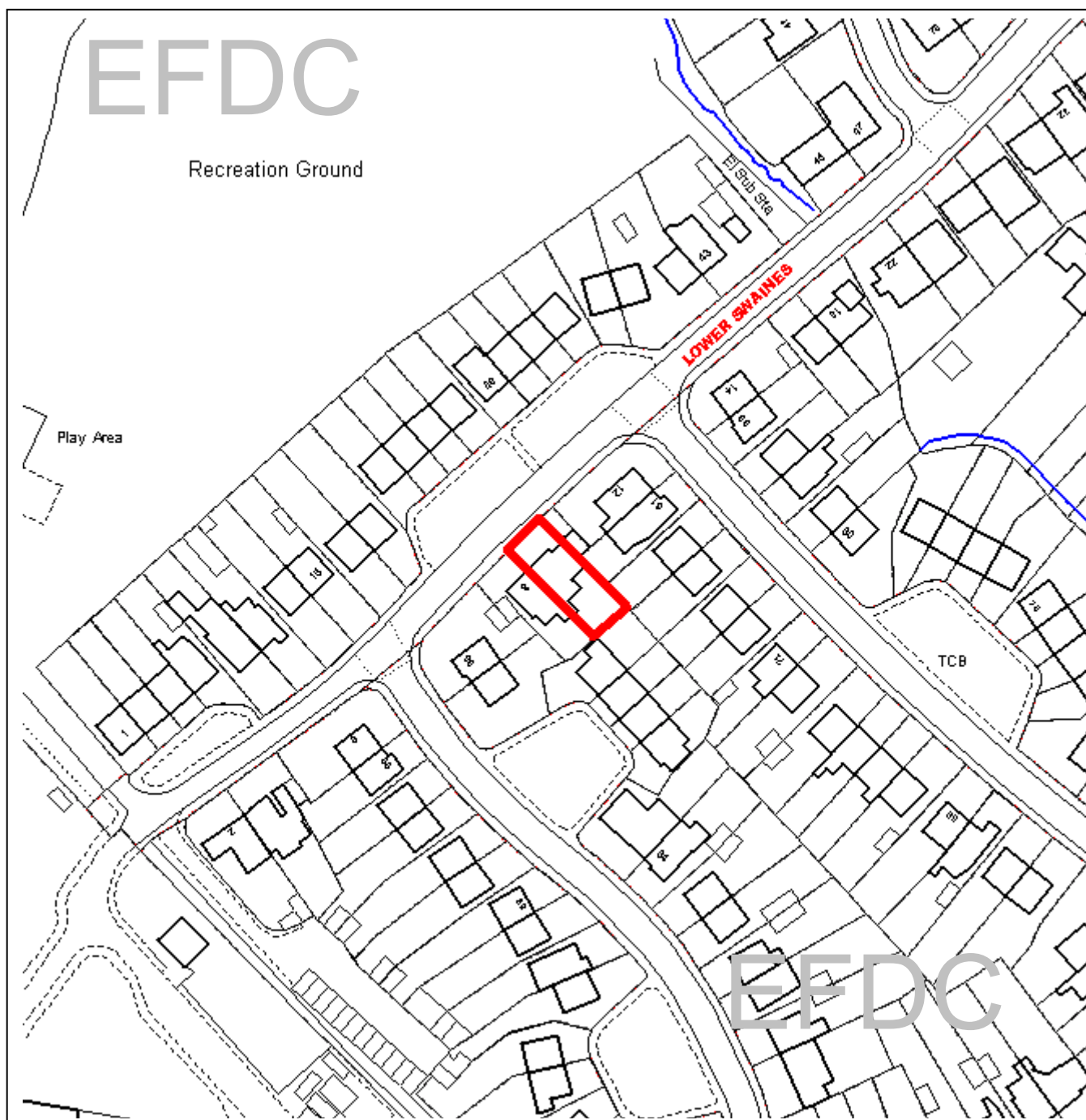
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Epping Forest District Council

AGENDA ITEM NUMBER 19



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Application Number:	EPF/2528/14
Site Name:	10 Lower Swaines, Epping CM16 5ER
Scale of Plot:	1/1250

Report Item No: 19

APPLICATION No:	EPF/2528/14
SITE ADDRESS:	10 Lower Swaines Epping Essex CM16 5ER
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Miss L Spicer
DESCRIPTION OF PROPOSAL:	First floor side extension and garage conversion.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570074

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 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.

This application is before this Committee 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))

Description of Site:

The application site is located on the southwest side of Lower Swaines and accommodates a two storey semi detached dwelling with attached flat roof garage. Along with the garage there is sufficient off street parking provision for two vehicles.

Ground levels slope downwards to the neighbours at No. 12 Lower Swaines and 81 Crows Road, to the northwest.

Description of Proposal:

Consent is being sought for the erection of a first floor side extension above the existing attached garage and the conversion of the garage to a study and utility room. The extension would be set on the side boundary which doubles as part of the rear boundaries of No. 12 Lower Swaines and 81 Crows Road to the northwest, and would be set back from the front elevation of the dwelling by approximately 800mm. No side windows are proposed facing No. 12.

The extension would be finished with a parapet wall to the side, with a hipped pitched roof set just below the existing ridge. All materials are to match the existing dwelling.

Relevant History:

EPF/1329/00 - Erection of attached garage extension - Approved

Policies Applied:

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

ST4 – Road safety

ST6 – Vehicle parking

The above policies form part of the Council's 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:

EPHING TOWN COUNCIL – OBJECTION - The committee does not object to principle by this scheme, i.e. a two storey side extension with hipped roof over the new development at first floor level. However, the plans submitted seem to suggest that the new hipped roof will not overhang with traditional eave, but instead slope into an internal gutter with a wall projecting above the bottom of the roof line. This is unattractive and completely out of keeping with every other house in the locality, which all have traditional overhanging eaves. There is a property in Lower Swaines adjacent to the former rear entrance of the old school that has a similar extension to that proposed, except the roof projects over the building property in this case. Committee OBJECTS to this proposal on the basis that the scheme has not paid close attention to the scale, form, details and roof treatment of the existing building or others in the locality contrary to policy DBE10.

LAND DRAINAGE – No comments.

HIGHWAYS – No objections as sufficient room on site for 2 vehicles.

10 neighbouring properties were consulted – No responses received.

Issues and Considerations:

The main issues of consideration in this instance is the effect on the character and appearance on the host dwelling and surrounding area; impact on the living conditions of neighbouring occupiers and highways issues relating to the loss of the existing garage.

Character and Appearance

The proposed first floor extension is to be built over the existing flat roofed single storey garage which is set on the shared with boundary with Nos. 12 Lower Swaines and 81 Crows Road and would thus be set back from the front elevation and have a lower ridge than the main roof.

As a result of building off the existing ground floor extension which extends to the boundary, a parapet wall is required in order to prevent guttering overhanging the boundaries of the neighbours. It is not an uncommon solution in such instances and the alternate solution suggested would entail the removal of the existing extension and rebuilding away from the boundary.

An objection has been received from the Town Council who consider that the design is unattractive and completely out of keeping with every other house in the locality. An example of a side extension that has been designed without a parapet and with traditional overhanging eaves is adjacent to the rear entrance of the old school.

Whilst it is accepted that the extension adjacent to the old school is a more common way of designing a side extension, it is not considered that the proposal here does not complement the appearance of the streetscene or the existing building.

The roof has been set down from the existing ridge and the extension is set back from the front elevation. The window proportions are in line with the existing windows and the materials are proposed to match the house. It is not considered that the use of a parapet here would be conspicuous or incongruous within the streetscene.

The replacing of the garage door with a bay window is considered acceptable and window proposed again would be proportionate to the existing fenestration.

On this basis, the proposal is considered to comply with policies CP2 and DBE10 of the adopted Local Plan (1998) and Alterations (2006).

Effect on Living Conditions

The proposed extension would not be visible from the attached neighbour at No.8 Lower Swaines and would not overlook the gardens to the north and south east as the proposed window would serve an ensuite bathroom and would be obscured.

The neighbouring dwellings at No. 12 Lower Swaines and 81 Crows Road are sited on ground levels lower than the application dwelling and whilst the extension would increase the height of wall visible from their rear windows and back garden from approximately 3.1m to 5.35m, the existing trees and vegetation in the rear gardens of these properties goes some way to softening this increase. With the existing trees and vegetation there is already some sense of enclosure to these back gardens, especially 12 Lower Swaines.

In addition the fact that the occupiers of No. 12 benefit from a rear garden somewhat wider than the proposed extension, even at this lower level the addition would not appear materially overbearing or resulting in an unacceptable sense of enclosure.

In terms of 81 Crows Road, the extension is only visible for just in excess of 2m across their rear boundary and the loss of outlook and sense of enclosure would not be excessive. Much of their outlook would remain untouched.

No material loss of privacy would occur as no facing windows are proposed and the additional bulk would not result in a material level of overshadowing given the orientation and size and siting of the extension.

Therefore the proposal is not considered to result in excessive harm to living conditions and would comply with policy DBE9 of the adopted Local Plan (1998) and Alterations (2006).

Highways issues

No objections have been received from County Highways as the proposal would maintain two off street parking spaces in line with current policy and vehicle parking standards.

Conclusions:

The proposed development would not be detrimental to the character and appearance of the area or to the amenities of neighbouring residents and therefore this application complies with the relevant Local Plan policies and is 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: Steve Andrews

Direct Line Telephone Number: 01992 564337

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