

# Committee Agenda



## **Epping Forest District Council**

### ***Area Planning Sub-Committee East Wednesday, 18th March, 2015***

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, 18th March, 2015  
at 7.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Adrian Hendry (Directorate of Governance)  
Email: [democraticservices@eppingforestdc.gov.uk](mailto: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

#### **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 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee, held on 18 February 2015 (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 19 - 72)**

(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 Sub-Committee before leaving.

### **What can I say?**

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

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

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

**Yes you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website [www.eppingforestdc.gov.uk](http://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 Gode

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:** 18 February 2015  
East

**Place:** Council Chamber, Civic Offices, **Time:** 7.30 - 8.52 pm  
High Street, Epping

**Members Present:** 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, R Morgan, J Philip, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** Mrs M McEwen, B Rolfe and B Surtees

**Officers Present:** J Shingler (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

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### 66. 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.

### 67. 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.

### 68. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 21 January 2015 be taken as read and signed by the Chairman as a correct record.

### 69. DECLARATIONS OF INTEREST

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

- EPF/2670/14 Former Carpenters Arms, High Road, Thornwood, North Weald CM16 6LS

(b) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a personal non pecuniary interest in the following item of the agenda by virtue of living in the neighbouring road of Bower Vale, it had been indicated during the meeting that Bower Hill residents often used the neighbouring road to park. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2789/14 12 Bower Hill, Epping CM16 7AD

**70. ANY OTHER BUSINESS**

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

**71. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 1 – 5 be determined as set out in the schedule attached to these minutes.

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2640/14
<b>SITE ADDRESS:</b>	Land to the rear of Triptons Oak Hill Road Stapleford Abbots Essex RM4 1JJ
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing buildings, erection of two bungalows
<b>DECISION:</b>	Application Withdrawn

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=570732](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570732)

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2670/14
<b>SITE ADDRESS:</b>	Former Carpenters Arms High Road Thornwood North Weald Essex CM16 6LS
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of Restaurant. Erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14.
<b>DECISION:</b>	Referred to District Development Control Committee

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=570910](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570910)

After considerable discussion, a majority of Members voted to refuse the application on the grounds that the development of the two detached houses in the Green Belt would be inappropriate development for which no very special circumstances have been demonstrated to outweigh the harm. The development would, in addition, have a significantly adverse impact on the openness of the Green Belt and finally that the proposals amount to overdevelopment of the site.

Following this decision, 4 Members stood to exercise their (Humanity References) right under Operational Standing Orders to require that no action be taken on the matter until it has been considered by the District Development Control Committee. The application is therefore referred to the District Development Control Committee for decision with a recommendation from the Area Sub Committee to refuse.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2716/14
<b>SITE ADDRESS:</b>	29 Bower Hill Epping Essex CM16 7AL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension and loft conversion with raising of ridge level and front and side dormer windows.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=571194](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571194)

The Planning Officer referred to 2 additional Objections that had been received since the Agenda was completed, from 49 and 51 The Orchards, raising concerns over overlooking / loss of privacy and loss of bungalow.

**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.
- 3 The proposed window openings in the flank elevations at first floor level 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.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2789/14
<b>SITE ADDRESS:</b>	12 Bower Hill Epping Essex CM16 7AD
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed vehicle crossover and hardstand driveway. Resubmission following refusal of EPF/1577/14.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=571590](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571590)

**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 vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway of no more than 4.5m in length.
- 3 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.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2817/14
<b>SITE ADDRESS:</b>	The Old Corn Barn Dunmow Road Abbess Beauchamp and Berners Roding Ongar Essex CM5 0PF
<b>PARISH:</b>	The Rodings - Abbess, Beauchamp and Berners
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing buildings, removal of hardstanding areas and the erection of six dwellings with parking and landscaping. Resubmission following refusal of EPF/1808/14.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=571697](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571697)

**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: 1872-01, REVO 2040A, 2041B, 2042.
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 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 The proposed window openings in the flank elevations at first floor level 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.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works

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

- 7 Prior to first occupation of the proposed development the access, parking and turning arrangements, as shown in principle on drawing no.REVO/2041 Rev B, shall be fully implemented and retained as such thereafter.
- 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.
- 9 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.
- 10 Before any works commence on the demolition of buildings on site a full Bat Survey to ascertain if bats are present on site and, if appropriate, a further Mitigation Strategy shall be submitted to the Local Planning Authority for agreement in writing with a working methodology to minimise impact on bats if present in the building. Development shall be undertaken only in accordance with the agreed strategy and methodology.
- 11 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.
- 12 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]



- 13      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]
- 14      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]
- 15      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.
- 16      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.

- 17 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.
- 18 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.
- 19 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

## AREA PLANS SUB-COMMITTEE 'EAST'

Date 18 March 2015

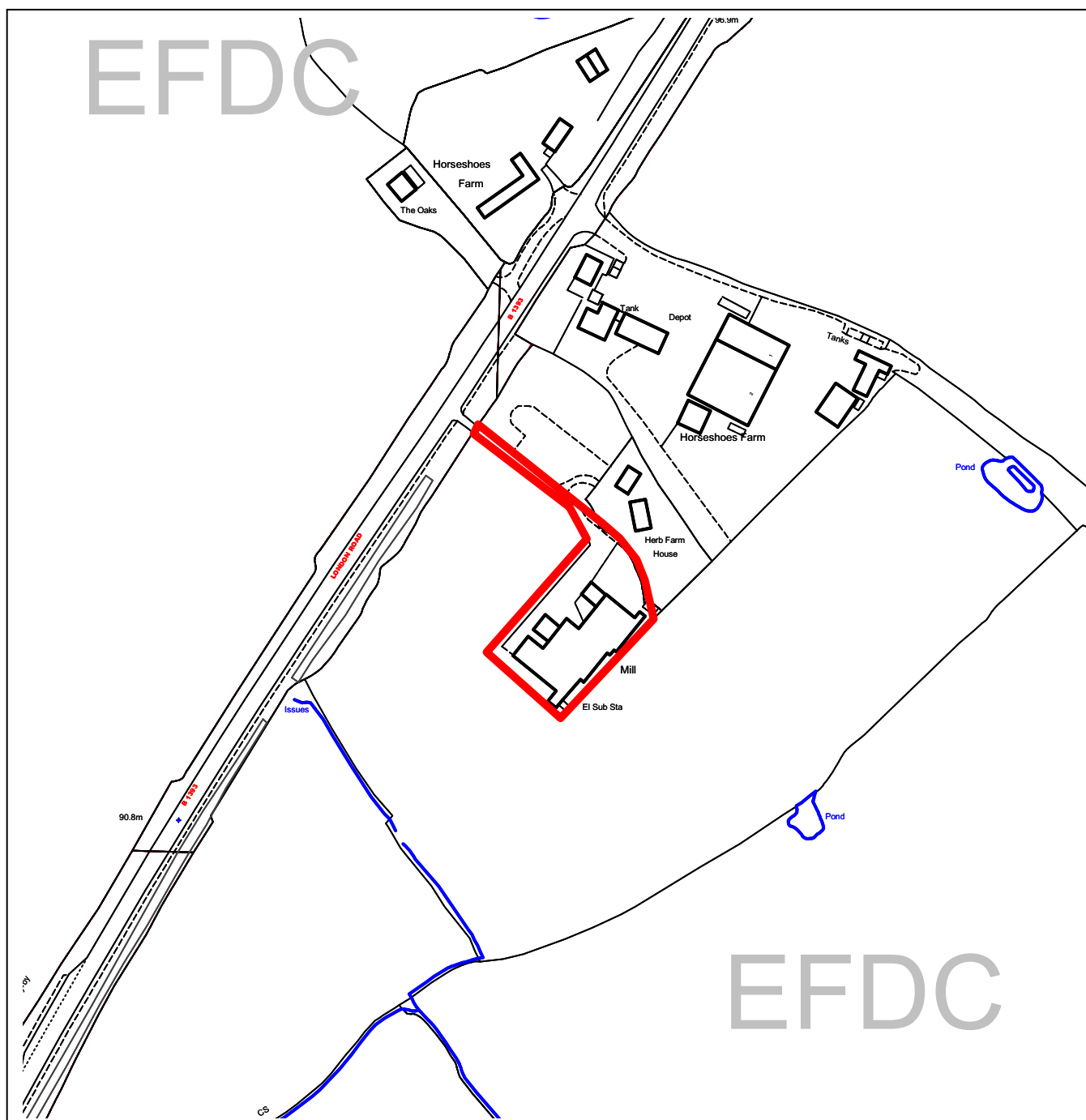
### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/1333/14	Herb Farm Granaries London Road North Weald Bassett Harlow Essex CM17 9LH	Grant Permission (With Conditions)	20
2	EPF/2816/14	The Elms Loughton Lane Theydon Bois Epping Essex CM16 7JY	Grant Permission (With Conditions)	28
3	EPF/2880/14	Blakes Golf Club Epping Road North Weald Epping Essex CM16 6RZ	Grant Permission (With Conditions)	34
4	EPF/2886/14	3 Ash Groves Sheering Essex CM21 9LN	Grant Permission (With Conditions)	42
5	EPF/2913/14	Nash Hall Chelmsford Road High Ongar Ongar Essex CM5 9NL	Grant Permission (With Conditions)	48
6	EPF/2936/14	Land adjacent to Longacre Cottage School Road Stanford Rivers Ongar Essex CM5 9PU	Grant Permission (With Conditions)	54
7	EPF/0094/15	13 Cunningham Rise North Weald Epping Essex CM16 6JR	Grant Permission (With Conditions)	60
8	EPF/0180/15	47A Theydon Park Road Theydon Bois Epping Essex CM16 7LR	Grant Permission (With Conditions)	64



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	EPF/1333/14
Site Name:	Herb Farm Granaries, London Road North Weald Bassett CM17 9LH
Scale of Plot:	1/2500

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1333/14
<b>SITE ADDRESS:</b>	Herb Farm Granaries London Road North Weald Bassett Harlow Essex CM17 9LH
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>APPLICANT:</b>	Mr Roger Langford
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing commercial/industrial buildings and erection of 5. no detached dwellings and garages.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=564176](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564176)

**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) appearance;and
  - (iii) landscaping.
  - b) The reserved matters shall be carried out as approved.
  - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 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.
- 4 Prior to the first occupation of the development the proposed private drive shall be constructed to a minimum 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 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.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7 All parking for the development shall be in accordance with the Parking Standards Sept 2009.
- 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.
- 9 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.
- 10 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.
- 11 The detailed design to be submitted under the reserved matters applications shall have a maximum combined gross floor area for the 5 dwellings of no more than 1000 square metres.
- 12 No more than 5 houses shall be built on site and the maximum height of any buildings on the site shall not exceed 7.3m.
- 13 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]

- 14      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]
- 15      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]
- 16      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.

- 17 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.
- 18 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 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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))*

**Description of Site:**

Area of land approximately 0.3 of a hectare, located to the east of London Road, within the Metropolitan Green Belt approximately 80 metres back from the road. The red lined site comprises a yard area with a complex of agricultural style buildings dating from the 1960's, 70's and 80's. The site is surrounded by open grassland and there is a dwelling immediately to the north. The buildings (originally agricultural) have been used since the 1960's for cleaning, sorting processing and storage of pulses, nuts and grains from around the world and is now used essentially by a wholesaler supplying products to the pet food market.

The buildings on the site cover approximately 1090m<sup>2</sup> and rise to a maximum height of about 9 metres, with a volume of over 7000 cubic metres.

**Description of Proposal:**

The application is an outline application for the demolition of the existing buildings and redevelopment for 5 detached residential properties with all matters except access and scale, reserved for future consideration. The application as originally submitted suggested replacement floorspace of 1338 m<sup>2</sup>, but this has subsequently been reduced to 1000sqm.

The indicative layout shows the provision of 5 detached dwellings arranged in a courtyard, all relatively low level cottage style buildings (one and a half storeys) with a maximum height of 7.265m.

**Relevant History:**

EPR/0036/54 Erection of Building – Granted  
EPO/1117/74 – Commercial Grain Drying and Storage Building - Granted



### **Summary of Representations:**

A site notice was erected on July 4<sup>th</sup> 2014 and 5 neighbours were written to, no responses were received.

PARISH COUNCIL- No Objection However the parish Council requests that the existing trees, hedgeline and treeline remain in place and that Jane Gravelle's statement is taken into account.

### **Policies Applied:**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment.  
GB2A – Development in Green Belt  
GB7A – Conspicuous Development  
DBE1 – New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE4 – Design in the Green Belt  
DBE9 – Neighbour Amenity  
ST4 – Road Safety  
ST6 – Vehicle Parking  
LL11 – Landscaping Schemes  
RP4 – Contaminated Land  
U3A – Catchment Effects  
U3B – Sustainable Drainage Systems  
NC4 – Protection of Established Habitat  
H2A – Previously Developed Land  
H5A – Provision for Affordable Housing  
H6A – Site Thresholds for Affordable Housing  
H7A – Levels of Affordable Housing  
I1A – Planning Obligations

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.

### **Issues and Considerations:**

The main concerns relate to the impact of the development on the Green Belt, Affordable Housing, highways and access issues, impact on neighbouring amenity, sustainability and the visual impact of the scheme.

#### **Green Belt**

The site is previously developed land within the Metropolitan Green Belt. The National Planning Policy Framework allows for the redevelopment of previously developed land where the development would not have a materially greater impact on openness or on the purposes of including land within the Green Belt. The proposed development which results in the removal of extensive built form and the replacement with a lesser volume of building that does not intrude any further than the current built development. Whilst surrounded by open land the development can be strictly contained and with suitable layout and design (to be agreed at a later date as reserved matters), would not have a greater impact on openness. Cultivated gardens would have an impact on open character but as they would replace a concrete yard area and can be screened by hedging this is considered acceptable. It is therefore considered that the development is appropriate in the Green Belt and no very special circumstances are therefore required to make it acceptable.

### Affordable Housing

At the time that the application was submitted, there was a policy requirement for applications for more than 3 dwellings on previously developed land in this kind of location to provide affordable housing. No details were submitted with the application and the applicant was informed that a financial viability assessment would need to be submitted and verified if they were to argue that there was no requirement for affordable units. Discussions were underway to either refuse the application or to wait for the submission of these details. However in the meantime the Government has issued, through the national Planning Policy Guidance (PPG) document, amended guidance on affordable housing provision. This details how on sites which are located in an area with a population which is less than 3,000 and the applicant is providing less than 10 dwellings and the houses have a floor area of <1,000 sq m then affordable housing contributions cannot be sought.

The initial application indicated that the dwellings would have a gross floor area in excess of 1000 square metres which would still have triggered the need for 50% affordable housing, but subsequently this has been reduced and the applicant has agreed to be bound by a condition that restricts the gross floor area of the development so that when the detailed design and layout are submitted under a reserved matters application they will need to abide by this restriction. This removes the requirement for any affordable housing provision as part of the application.

### Highways

The application does seek access to be determined at this stage and the access proposed is that which is currently used for the commercial premises. Essex County Highways have been consulted and have raised no objection on highway grounds. There will be a significant reduction in larger vehicle movements and the traffic generated by 5 dwellings will not be excessive and visibility in both directions is good. Adequate space is available within the site for at least 3 parking spaces per unit, which means ample occupant and visitor space will be available. This can be fully clarified and if necessary conditioned when the reserved matters application is considered.

### Impact on neighbouring amenity

The only property likely to be impacted is Herb farm House, which lies immediately to the north of the site and within the applicant's ownership. The access to the site runs past this dwelling but it is separated from the development site by a high hedgerow. Subject to the detailed design and layout, development of detached houses on this land will not cause harm through overlooking or loss of light. It is considered that the removal of commercial traffic from the access road will be beneficial to the residential amenity of the occupants of that dwelling.

### Sustainability

The site is not close to shops and facilities, but nor is it in an isolated or remote location and is on a bus route. The existing commercial use is equally unsustainably located and it is considered on balance that the redevelopment of this brownfield site for a limited number of dwellings would not be unsustainable as to warrant refusal of the application.

### Visual impact

This is a rather strange location for a small residential community, and not a traditional form of development within the rural area. However the site is well screened and set back from the main road so it will not be visually prominent or harmful to the character or amenity of the area, although in winter it can be glimpsed through the thick hedgerow along London Road. In addition the development enables the provision of additional planting which will further screen and soften the development. Care will need to be taken in the final design and layout of the scheme to ensure that it is not enclosed by inappropriate fencing or walling, and that suitable materials and design are utilised to make the development appropriate to its surroundings.

### Land Drainage

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment (FRA) is therefore required. The applicant is proposing to dispose of foul sewage main sewer. However the main sewer is a considerable distance from the site therefore further details are required. A condition requiring approval by the Local Planning Authority of foul drainage details prior to development commencing is therefore necessary. The applicant is proposing to dispose of surface water by sustainable drainage system. Further details are required. A condition requiring approval by the Local Planning Authority of surface water drainage details prior to development commencing is also necessary.

### Contaminated Land

Due to its use as an Agricultural Farmyard and Industrial Works there is the potential for contaminants to be present on site. This issue can be addressed with appropriate conditions.

### Conclusion

In conclusion the development is in accordance with the NPPF and the adopted policies of the Local Plan and will make good use of previously developed land without harm to the Green Belt or the amenity of the area, and is therefore 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:***

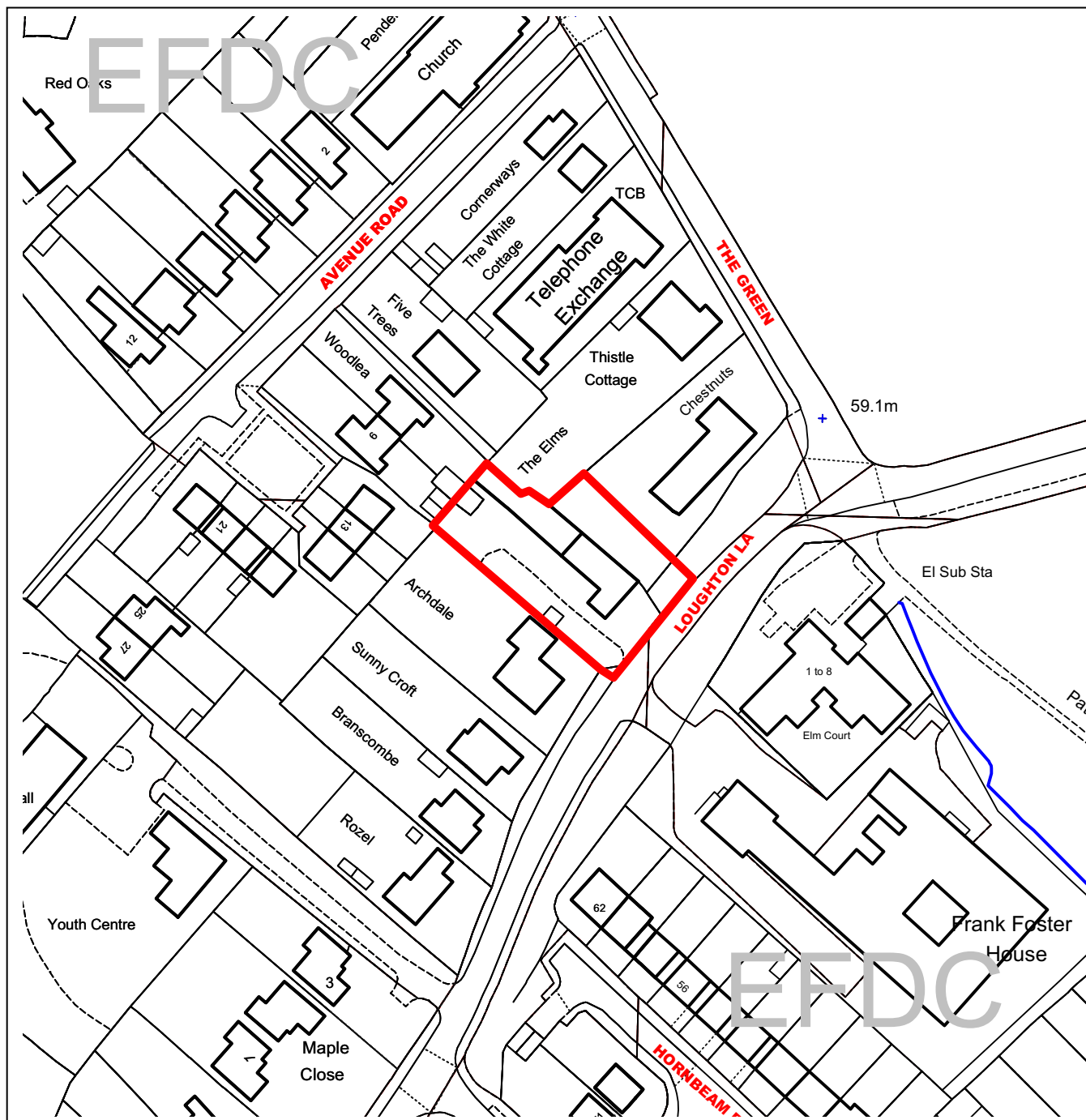
***Planning Application Case Officer: Mrs Jill Shingler  
Direct Line Telephone Number: 01992 564106***

***Or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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Application Number:	EPF/2816/14
Site Name:	The Elms, Loughton Lane Theydon Bois, Epping, CM16 7JY
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2816/14
<b>SITE ADDRESS:</b>	The Elms Loughton Lane Theydon Bois Epping Essex CM16 7JY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	View Place Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing nursery building and bungalow. Construction of 2 no. 5 bedroom two storey dwellings with integrated garages.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=571696](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571696)

**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:1486: 01A, 02F, 03C, 04D, 05C, 06D, 07C, 08C, 09C and 10A
- 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 openings in the north and south flank elevations of both dwellings hereby approved 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 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 of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 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.
- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

*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 Elms is located on Loughton Lane, within the built up area of Theydon Bois. The application site is currently in use as a garden centre (Sui Generis use class) although the Council holds no records which indicate when this use was implemented. Currently on the site is a single storey building set against the shared boundary with the neighbours to the north (Thistle Cottage and the Chestnuts). These neighbours to the north back onto the site and front onto The Green, which are chalet style bungalow properties situated within relatively large plots. The neighbouring dwellings to the south are also chalet bungalow style dwellings situated within large plots. A pair of chalet style semi detached properties back onto the site from the west and are set relatively far back within their plot. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation area.

### **Description of proposal**

The proposed development is to demolish the existing buildings on site and erect two, detached two storey dwellings.

### **Relevant History**

EPF/1330/77 - Retention of Nissan hut as garage for further period. - Approved

Council records indicate that the last authorised use on the site was as a garage which was granted planning permission in 1977. The applicant contends that the site has been used as a nursery for five years. The use of the site as a garden centre is therefore unauthorised. However, whether the current use is authorised or not, the erection of two new dwellings would still require planning permission and therefore it has little bearing on this assessment.

### **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment  
CP7 – Urban Form and Quality  
H2A – Previously developed land  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in Urban areas

DBE6 – Car Parking in New Development  
DBE8 – Private amenity Space  
DBE9 – Impact on amenity  
ST6 – Vehicle Parking

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**

29 Neighbours consulted –

CHESTNUTS – OBJECTION – The street scene is characterised by chalet style bungalows and therefore the erection of these properties would be out of character with the street scene. The dwellings would cause a significant loss of light and be overbearing, it is also an overdevelopment of the site. Our property will be overlooked by the dwellings.

5 AVENUE ROAD – OBJECTION – The dwellings will be out of character with the street scene, they will overlook our property and is an overdevelopment of the site.

THISTLE COTTAGE – OBJECTION - The proposed houses are incongruous in a street of bungalows where their roofline will be much higher than adjoining properties. We are concerned that we will be overlooked.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY – NO OBJECTION – concern raised regarding the amenity space and the fact that the proposed garages should not be turned into habitable rooms.

THEYDON BOIS PARISH COUNCIL – OBJECTION - We note the changes from the previous application, particularly the removal of the dormers and the slightly lower height. However the size and bulk of this pair of properties, together with the forward positioning on the site, continues to have an overly dominant impact on the street scene, particularly when bearing in mind that all the adjoining neighbouring properties are chalet bungalows.

We are also concerned with the amenity space on plot 2, as we feel that this is woefully inadequate for the proposed size of the dwelling.

However, should this be approved we would recommend removal of all future Permitted Development Rights, a condition regarding appropriate soft landscaping to be provided to the front of the property and also to be sure there is a restriction on future conversion of garages to habitable space, to secure parking provision and in the interests of road safety. We would also ask for a condition that no gates be installed in front of the property.

Overall, we believe that one large or two smaller-scale buildings would be more appropriate for this plot.

### **Issues and Considerations**

The new dwellings provide a good standard of living accommodation and suitable amenity space. Therefore the main issues to consider when assessing this application are the effects of the proposal on the living conditions of neighbours and the design of the proposal in regards to the existing building and its setting

### Neighbour Amenity

The Chestnuts is the adjacent neighbour to the north of the application site. It fronts onto The Green however its main bulk is onto Loughton Lane and it projects far into its plot, close to the shared boundary with the application site. Currently the garden centre has a large single storey building approximately 10m from the shared boundary which extends across the entirety of The Chestnuts rear garden. The proposed dwelling on the northern part of the site will be closer, approximately 1.6m from the shared boundary with The Chestnuts, 6.4m from its rear elevation; it has an eaves height of 5.2m after which the roof pitches away to a maximum of 8.8m high approximately 10m from the rear elevation of this neighbour. The distance is such that the new dwelling will not appear excessively overbearing when viewed from private areas of The Chestnuts. Furthermore the majority of the rear garden of this neighbour is located to the north-west, away from the proposed side elevation of the new dwelling and therefore it will not appear excessively overbearing or cause any excessive loss of light.

The dwelling on the northernmost part of the site will have a first floor window on the side elevation fronting onto The Chestnuts. However this window will serve a bathroom and be fitted with obscure glass and therefore will not cause excessive overlooking into the neighbouring property. A planning condition can ensure that all first floor windows on this elevation are fitted with obscure glass in perpetuity.

The dwelling on the southernmost part of the site will be adjacent to the side elevation of the bungalow known as Archdale. The two storey element will be 1.4m from the shared boundary and be 3m past its rear elevation. After 3m the two storey element steps 6.8m away from the boundary, where a hedge row acts as a robust screen. A 45 degree line taken from the centre of the closest habitable room window of Archdale is not intercepted and as such the new dwelling will not appear excessively overbearing.

The proposed dwelling on the southernmost part of the site will have a first floor window on the flank elevation facing onto Archdale. Its position will allow views into private areas of the rear garden of the neighbour and therefore it is reasonable and necessary to impose a planning condition that this window be fitted with obscure glass, which will mitigate against any potential overlooking.

The dwelling located on the southern most part of the site will project approximately 3m past the rear elevation of the property on the northern most part of the site. However it maintains a gap of 1m to the shared boundary and a 45 degree line taken from the centre of the nearest habitable room window of the adjacent dwelling is not intercepted. As such the extension will not appear significantly overbearing or cause any harm to the living conditions. Therefore both of the proposed dwellings offer a good standard of accommodation.

### Design

The proposed dwellings will have a conventional residential design with a traditional hipped roof. There are examples of dwellings within the wider context of the locality which have a similar design and therefore the proposal will not appear overly prominent in the street scene.

The immediate street scene on this side of the road is mainly comprised of chalet style bungalows; indeed the two proposed dwellings are sited in between two bungalows and will therefore appear prominent in the street scene in comparison. However the ridge heights of the proposed dwellings will not be excessively higher than the two bungalows adjacent. Furthermore, across the road, directly opposite the application site are two large, two and a half storey buildings (Elm Court and Frank Foster House), furthermore there are a number of two storey dwellings in the wider context of the locality, on the nearby Hornbeam Road. The character of the locality is therefore varied and



the introduction of two storey dwellings in this locality will not have a deleterious impact on the street scene.

Plot 2 has approximately 130 square metres of usable and convenient private amenity private amenity space to the rear and Plot 1 has more than twice that amount, this is considered appropriate for the size of the dwellings.

#### Parking and highway issues

Plot 1 has a double garage and space for 2 further cars to park on site, and plot 2 has a single garage and space for two further cars to park, this is more than sufficient to meet adopted parking standards and will not put pressure on the public highway for parking. The access is currently in use for the garden centre and so its use for residential purposes raises no concerns in terms of highway safety or efficiency.

#### Employment Issues

The applicant contends that the business is no longer profitable and only employs one full time member of staff and occasionally uses part time staff. The Council has no reason to dispute the applicant's contention and in any case The Elms is not a major employment site, employing only one full time member of staff and occasional part time staff. Therefore its loss will not cause any harm.

#### Conclusion

The proposal will not cause any harm to the neighbours and there will be no harm to the character or appearance of the street scene. Therefore it is recommended that planning permission is 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:**

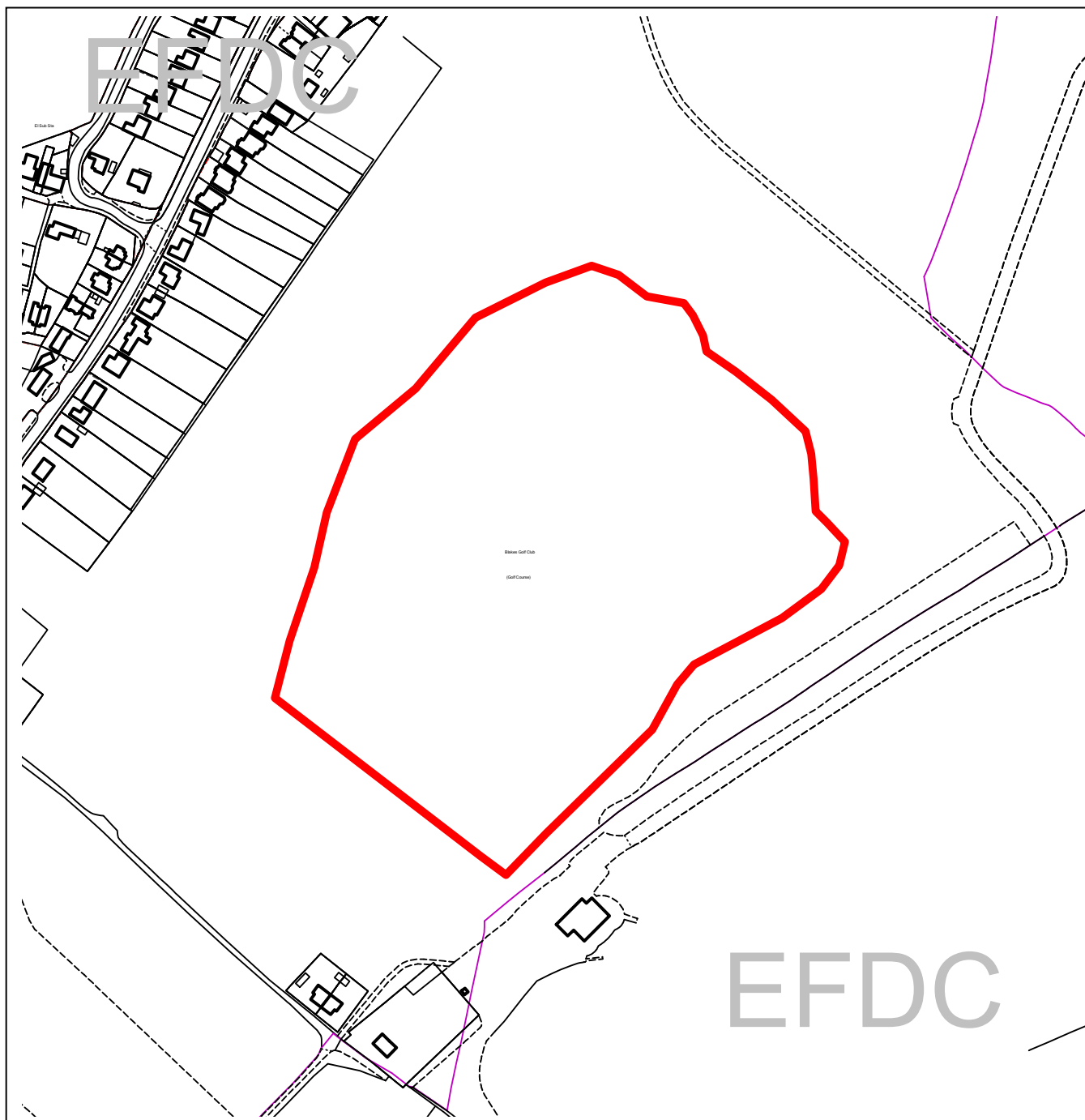
**Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 371**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**



# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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Application Number:	EPF/2880/14
Site Name:	Blakes Golf Club, Epping Road North Weald, Epping CM16 6RZ
Scale of Plot:	1/3500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2880/14
<b>SITE ADDRESS:</b>	Blakes Golf Club Epping Road North Weald Epping Essex CM16 6RZ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Blakes Leisure Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Application for the importation of topsoil and compost to improve the land quality of the existing driving range and for the use of the land as a driving range and for the purposes of foot golf.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572011](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572011)

**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: WEAL.607B, 0621 03, 0621 02
- 3 Prior to the commencement of development a timetable of works shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with the agreed timetable and any deviation agreed in writing.
- 4 The amount of material brought in for the purposes of this development shall not exceed 8000 cubic metres in volume, all of which shall be used for the development hereby approved.
- 5 Prior to commencement of development details of the routing of lorries to and from the site shall be submitted to and agreed in writing by the Local Planning Authority. This routing shall ensure that all access is from the A414 only, and not through North Weald. All lorries exiting the site shall be required to turn left onto the A414. The agreed lorry routing shall be strictly adhered to.
- 6 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]

- 7      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]
- 8      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]
- 9      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.

- 10 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.
- 11 No external lighting shall be installed in connection with the development hereby approved unless agreed in writing by the Local Planning Authority prior to its installation. Full details of any external lighting shall be submitted to the Local Planning Authority for approval and shall thereafter be carried out in accordance with the approved details.

*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 Proposal:**

Consent is being sought for the importation of topsoil and compost to improve the land quality for the driving range area for a maintainable grass coverage. The intention is to thereafter use the driving range as a multi-purpose area consisting of driving range, a new 'footgolf' course, and a par 3 course. The proposed development would involve the importation of 5800m<sup>3</sup> of top soil and compost and 2200m<sup>3</sup> of engineering clay.

#### **Description of Site:**

The application site is an established golf course located to the northeast of North Weald accessed from the A414 and is within the Metropolitan Green Belt. This application relates to the existing driving range located to the north of the club house within the western portion of the golf course.

#### **Relevant History:**

EPF/0863/96 - (1) Change of use of 45 hectares of agricultural land to a pay and play golf course and for the change of use of 5.7ha of agricultural land to a pocket park; (2) Outline application for the construction of residential development on 3.6 hectares of agricultural land and for the construction of a clubhouse associated with the golf course – approved/conditions 28/07/98  
EPF/1310/05 - Provision of surfaced maintenance tracks as an integral part of the existing golf course – approved/conditions 08/03/06  
EPF/0095/07 - Construction of 3 irrigation ponds within existing golf course 'rough' – refused 28/02/07  
EPF/1050/07 - Construction of an irrigation pond (below existing ground level) within existing golf course 'rough' (revised application) – approved/conditions 05/07/07  
EPF/2570/13 - Importation of clay in order to line existing irrigation ponds – approved/conditions 14/02/14  
CLD/EPF/2340/14 - Certificate of Lawful Development for the importation of topsoil and compost to improve the land quality for the driving range area for a maintainable grass coverage – Not lawful 28/10/14

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP5 – Sustainable building  
GB2A – Development in the Green Belt  
RP5A – Adverse environmental impacts  
RST1 – Recreational, sporting and tourist facilities  
U3A – Catchment effects  
ST4 – Road safety

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:**

30 neighbouring properties were consulted and a Site Notice was displayed on 17<sup>th</sup> January 2015

NORTH WEALD PARISH COUNCIL – Objects on the following grounds:

- The vehicle movements associated with the importation of topsoil would be detrimental to local residents.
- The application has no supporting documentation confirming that an assessment has been made to assess the impact this importation will/may have in terms of drainage, and any negative impact on the nearby Flood Alleviation Scheme.
- Application does not indicate that the site could be contaminated, and as such the necessary contamination assessments have not been considered.

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL – Object. Councillors expressed their concern at the history surrounding this site, and the fact that resources are not available to monitor the type of material being imported. The Parish Council object to this application on the following grounds:

- Inadequate information has been submitted to show that there will be no detrimental impact on any surrounding areas of water/water courses which could lead to land drainage issues and/or contamination.
- The application did not indicate that the site could be contaminated, and as such the necessary assessments have not been completed.

If EFDC are minded to grant permission for this application, this Council hereby requests that a strict regime of scrutiny in terms of the material being imported is put in place as a condition of the permission, and that this is monitored by EFDC.

248 HIGH ROAD – Object to the importation of more soil onto the course however if allows then request that sufficient supervision takes place to ensure that only topsoil and compost are imported.

### **Main Issues and Considerations:**

Blakes Golf Course has a fairly complex history with regards to importation of material however the existing course is now completed and well established. The driving range subject to this application is already in existence, however it is stated by the applicant that *“when the golf course was originally constructed the driving range was finished with minimal topsoil which in turn has made the land unmanageable and unusable for its existing use”*. It is clear when viewed on site

that the driving range is being utilised however the area is not as well managed and the grass not as closely cut as other parts of the golf course.

The applicant wishes to now raise the quality of this land to that of the remainder of the golf course and to utilise this site as a multi-purpose area for the continued use as a driving range as well as for a 'footgolf' course and a par 3 course. In order to improve the quality of the land it is stated that there would need to be 5800m<sup>3</sup> of topsoil and compost imported and laid to achieve this. Furthermore approximately 2200m<sup>3</sup> of engineering clay would be required to provide drainage for the greens.

One of the key aims for the proposed development is to enable the established golf course to provide a 'footgolf' course. Footgolf appears to be a new form of golf that is being provided on several courses throughout the country and is essentially similar to golf (in that the aim is to place the ball in the hole using the lowest amount of shots possible) however uses a size 5 football and your feet (rather than a club). An article in The Telegraph in October 2014 highlights that *"established in 2009 and already booming in South America and the US, footgolf has begun to gain traction in Britain over the past two years"*. Given the simplicity of the game and, since it doesn't take as long as or require costly equipment as regular golf, this new sport is *"rapidly growing in size and, in the process, saving many of the clubs which were previously struggling to keep their heads above water"*. It also appears that footgolf is far more accessible to younger clientele and is more 'family friendly'

Since the applicant estimates that the main use of the site for footgolf would be weekends, holiday periods and after school it is proposed to use the site as a par 3 golf course mid-week during school hours since the larger holes would be better for beginners. Any time outside of its use for footgolf or as a par 3 golf course it would remain in use as a driving range as existing.

The additional uses proposed would assist in the long term economic viability of the existing golf club and would provide additional recreational facilities for the general public.

#### Green Belt:

The proposed additional use of this parcel of land as a multi-functional area would be ancillary to the established lawful use of the golf course and would provide additional open sport/recreation, which is permitted within the Metropolitan Green Belt. Therefore the main consideration with regards to the impact is as a result of the proposed importation.

It is accepted that compost and other materials can be imported onto Golf Courses as 'repair and maintenance' and as such a certain level of importation would be expected on an established golf course without requiring planning consent, it has been considered (under the certificate of lawful development application EPF/2340/14) that the level of importation proposed would constitute an operational development requiring planning consent.

The proposed importation would consist of approximately 5,800m<sup>3</sup> of top soil and compost to be imported along with some 2200m<sup>3</sup> of engineering clay. This would result in an average 100mm additional layer across the entire 14 acre site. This is estimated to take approximately 4 weeks to topsoil, compost, prepare and seed. Whilst the area of land would be raised by between 50-100mm the site would not require re-levelling or the diversion of drain runs. The existing, relatively shallow, contours of the land would predominantly remain and the main difference in areas (i.e. to indicate the greens, etc.) would be achieved through the cutting of the grass. This is primarily since both footgolf and the driving range would not require heavily contoured land and the 3 par golf course would be used by beginners.

Given the relatively minor increase in land levels and since the resultant multi-purpose area would be similar in appearance to the existing and would continue to retain the openness of this site it is

not considered that the proposed engineering operation would be harmful to the openness or character of the Green Belt. Furthermore, since the works are for the purposes of outdoor sport and recreation the proposal would not constitute inappropriate development that is, by definition, harmful to the Green Belt. Therefore the proposal would comply with the relevant Green Belt guidance and policies as laid out within the National Planning Policy Framework and the Local Plan.

#### Highways:

The proposed development would require the importation of a total of 8000m<sup>3</sup> of materials, which is broken down to the following:

- 5800m<sup>3</sup> of topsoil and compost
- 2200m<sup>3</sup> of engineering clay

The applicant states that the proposed development would take no longer than 4 weeks to import, lay and seed the materials. Given the relatively low level of vehicle movements and very short time duration for completion it is not considered that the level of vehicle movements would have a detrimental effect on highway safety, efficiency or capacity at this location. As such there has been no objection from Essex County Council Highways.

On the previous application regarding the importation of engineering clay in order to line the three existing ponds on site (EPF/2570/13) several restrictive conditions were imposed in order to suitably control the level of importation. This included conditions that required a timetable of works and the routing of lorries to be agreed and complied with, one controlling the number of lorry movements to the site, and one limited the amount of material imported.

The applicant followed the previous conditions and provided the Council with routing information and a timetable of works prior to commencement of the development. When various situations arose that altered the submitted timetable (such as weather conditions and the sickness of workers) the Council was informed of these changes and revised timetables were provided. As such it is considered that similar conditions regarding routing and a timetable of works could be imposed for this proposal.

Unlike the previous proposal this application includes a plan of the existing and proposed land levels, which assists in controlling the development and ensuring that the works comply with that agreed. It is considered that these plans would override the need to put on conditions regarding the number of lorries movements, although it may still be appropriate for the sake of clarity to condition the total amount of materials that can be imported by way of this consent.

#### Flood risk:

Since the proposed works would be within 8m of an open or piped watercourse Land Drainage consent is required, which is a separate matter to planning consent. Subject to this being agreed Land Drainage Officers have no objection to the proposed works as this would not result in any detrimental impact on ground water flooding.

#### Amenities:

Since the proposed works would only raise the level of the land by a maximum of 100mm there would be no visual impact as a result of the development. Whilst the multi-use of this area of land would increase the level of activity in this particular location the application site is a sufficient distance from surrounding residential properties and would be experienced within the wider context of the golf course, and therefore it would not have any detrimental impact as a result of noise nuisance or any other disturbance. A condition requiring details of external lighting (if



required) can be imposed to ensure that there is no resulting light pollution to surrounding residents.

Given the level of importation and the relatively short duration for completion of the works it is not considered that the proposed development would result in any detrimental impact to surrounding residents. The access to the Golf Course is from the A414, which carries heavy vehicle traffic, including large lorries. As such the additional lorry loads resulting from these works would not result in an excessive increase in vehicle traffic that would have a detrimental effect on local residents.

A timetable of works can be agreed by way of a condition to ensure that the development is undertaken within a short time period as proposed and also to suitably control the level of importation relating to the proposal.

#### Land contamination:

Large quantities of non-hazardous waste were imported to raise site levels when the golf course was originally constructed. The previous Waste Exemption Certificate permitted the importation of wastes containing ash, clinker, slag, demolition waste and other sources of contamination, which may have resulted in widespread contamination of the site. It is understood that the applicant is proposing to use a registered waste carrier/waste transfer station and that the imported topsoil and compost would be mixed with the top 200mm of the underlying waste.

Since the site would be used by families, schools, football clubs and children's parties these are sensitive receptors particularly vulnerable to the presence of contamination. As it is proposed to mix the imported soils with the underlying waste soils, the requirement that only the imported soils are verified would not exclude risks from the existing waste soils. As such a full contaminated land investigation would be required, which can be dealt with by conditions.

#### Conclusion:

The proposed importation to introduce a 9-hole golf and footgolf course would not be unduly detrimental to the surrounding residents and would have little visual impact within the landscape. Whilst the importation of material would result in a number of lorry movements to the site this can be suitably controlled by condition and monitored by Planning Enforcement, and the use of the site as a multi-use facility would have wider economic and recreational benefits. As such, the development complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and therefore the application 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:***

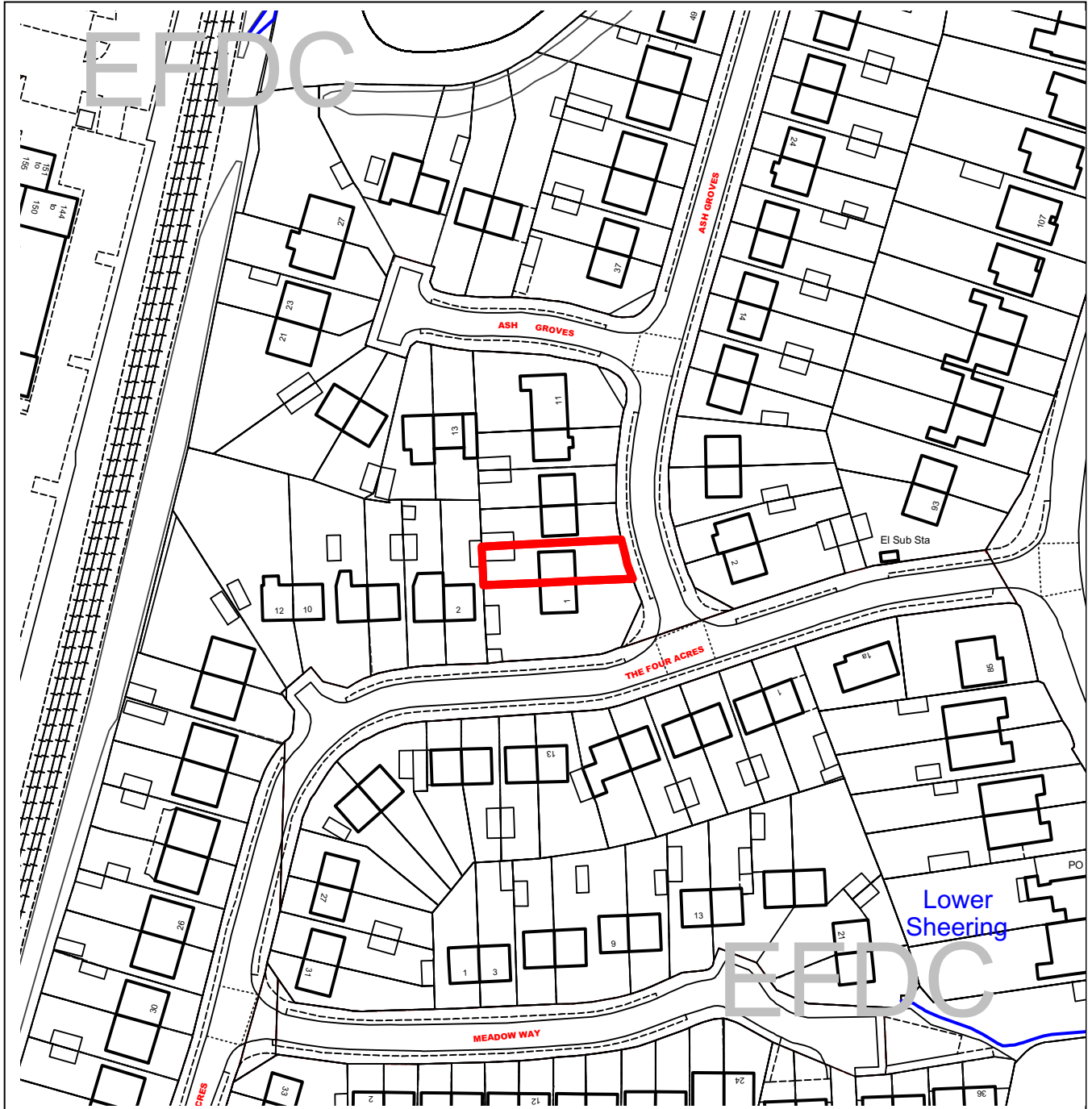
***Planning Application Case Officer: Graham Courtney***  
***Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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Application Number: EPF/2886/14

Site Name: 3 Ash Groves  
Sheering CM21 9LN

Scale of Plot: 1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2886/14
<b>SITE ADDRESS:</b>	3 Ash Groves Sheering Essex CM21 9LN
<b>PARISH:</b>	Sheering
<b>WARD:</b>	Lower Sheering
<b>APPLICANT:</b>	Mr Alex Groom
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572033](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572033)

**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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

**Description of Site:**

The application site consists of a two-storey semi-detached dwelling located on the western side of Ash Groves. The dwelling has been extended previously in the form of a loft conversion with front and rear dormer windows

The attached neighbour already benefits from a 2.5m deep single storey front extension. The site is not within a conservation area nor is the building listed.

**Description of Proposal:**

Planning permission is sought for the erection of a single storey front extension, 2.5m deep by 6.49m wide and between 3.5m and 2.4m high as it is finished with a mono-pitch roof. The plans indicate that the extension would project no deeper than the neighbouring front addition.

Materials would match the existing dwelling.

### **Relevant History:**

EPF/1256/87 - Loft conversion (above ridge level) - Refused

### **Policies Applied:**

Local policies:

- CP2 – Protecting the Quality of the Rural and Built Environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions

National Planning Policy Framework

### **Summary of Representations**

#### **External:**

SHEERING PARISH COUNCIL - Objection – The proposed extension would be detrimental to the appearance of the existing dwelling and to the streetscene. The roof treatment of the proposed extension in particular is out of keeping with the existing property and the rest of the street. The previous proposals at this property were of a design that is in keeping with the area and would enhance the appearance of the existing dwelling; however this scheme would result in a property that looks out of place in its surroundings.

#### **Neighbours:**

Three neighbours notified by letter. One representation was received by the occupiers residing at the following address:

1, ASH GROVES – roof tile should match No1 extension roof tile not main roof; no front elevation showing how extensions meet; confirmation of junction of front wall; prior consultation required regarding fixing exterior wall.

### **Issues and Considerations:**

The main issues to be addressed are as follows:

- Character and Appearance
- Effect on Living Conditions

#### **Character and Appearance**

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

There are no Officer objections to the design and appearance of the proposed development. given that there is already a single storey front extension at the neighbouring property. Whilst the Parish Council consider that the proposal would lead to an overdevelopment of the site, this may well be due to the fact that the dwelling has already been extended at roof level and benefits from a front dormer window erected a number of years ago.

It is not considered that the additional bulk here at ground floor level would materially detract from the character of the host dwelling and is compatible with the character of the surrounding area.

The neighbour has concerns relating to the materials proposed for the roof of the extension. The tiles proposed would match the main roof which differs to the neighbour's extension. It is not considered that if the tiles did not match this would result in significant harm to the visual amenities of the area and it not felt reasonable to impose a condition requiring the tiles to match the neighbours.

The neighbour has also enquired as to how the extension would join his extension at roof level and front wall. Officers are unable to fully confirm the junctions but this is not considered necessary to grant planning permission. From looking at the submitted drawings and from the photographs taken on site it would appear that the roof would be in line with the neighbours, just below the lead flashing under the first floor window cill. Even if it was slightly above or below, the proposed extension would not detract from the character of the pair of semis or the surrounding area.

The submitted drawing shows that the proposal would be in line with the neighbour's extension and this again is considered to be enough detail in order to assess at planning application stage.

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

#### Effect on Living Conditions

Due consideration has been given in respect to the potential harm that the proposed development might have upon the amenities enjoyed by adjoining property occupiers.

The extension would, according to the drawings, project no further forward than the neighbouring extension at No. 1 Ash Groves. There would be no material impact on the living conditions of this neighbour.

The issue raised by the neighbour regarding building regulations is not a material planning consideration.

With regards to the detached neighbour at No. 5 Ash Groves due to the extension's size and siting there would be no material impact on the living conditions of this neighbouring occupier.

Therefore in conclusion, the proposal is considered acceptable in neighbouring amenity terms and is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006)

#### Response to Objections received

The objection received from the Parish Council and concerns from the neighbour have been addressed in the sections above.

#### **Conclusion:**

In conclusion, the development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the NPPF. It is therefore recommended that permission be granted 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: Steve Andrews  
Direct Line Telephone Number: 01992 564337***

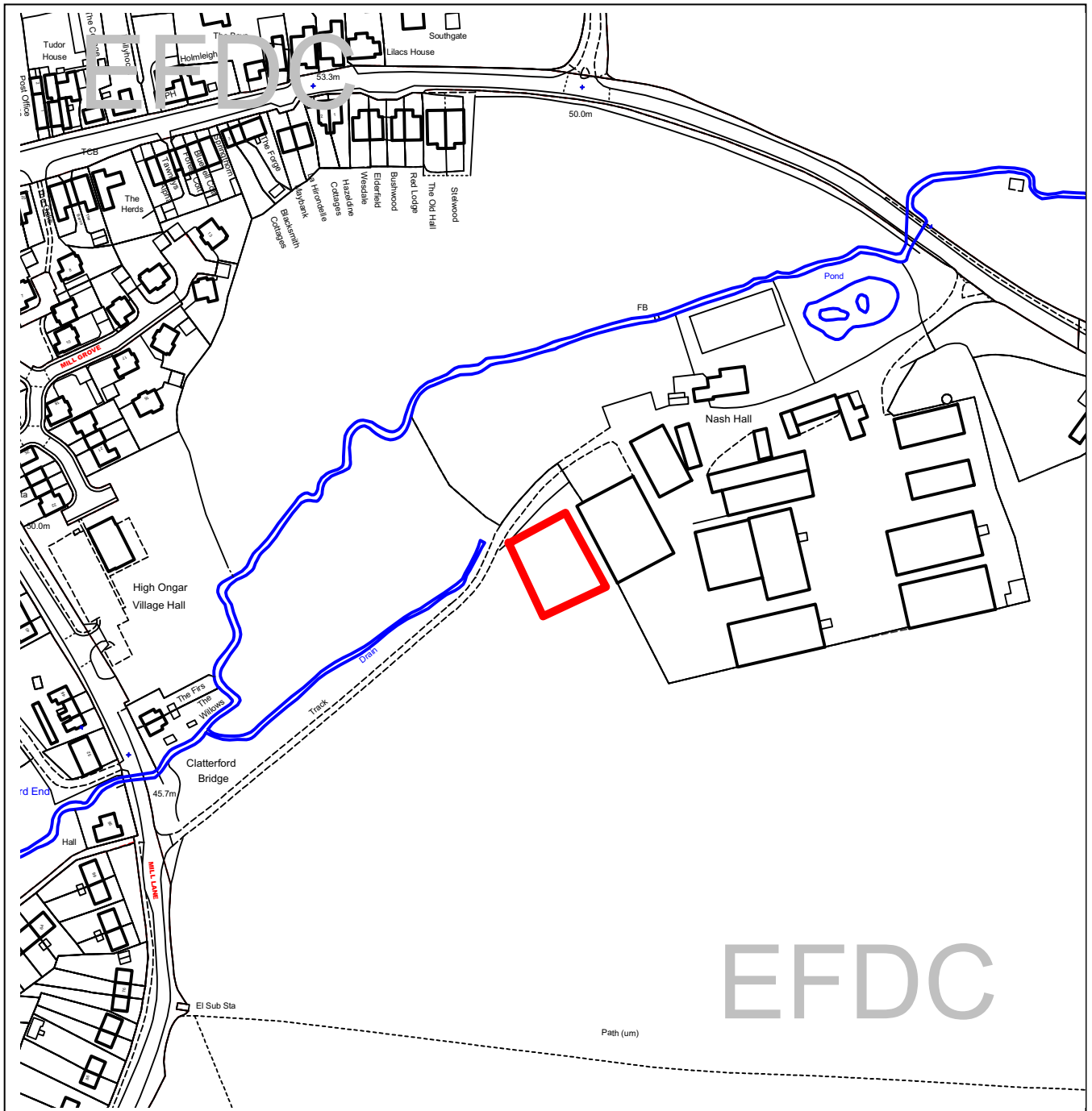
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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Application Number:	EPF/2913/14
Site Name:	Nash Hall, Chelmsford Road High Ongar, Ongar CM5 9NL
Scale of Plot:	1/2500



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2913/14
<b>SITE ADDRESS:</b>	Nash Hall Chelmsford Road High Ongar Ongar Essex CM5 9NL
<b>PARISH:</b>	High Ongar
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>APPLICANT:</b>	William Allison (Farms) Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Erect a steel portal framed agricultural purpose designed grain storage building with a grain drying facility.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572170](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572170)

**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:  
Site location plan  
141201
- 3 No development shall take place until details of the proposed surface materials for the vehicular access to the building have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first use of the development or within one year of the substantial completion of the development hereby approved, whichever occurs first.
- 4 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 5 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended) Schedule 2 Part 3 Classes M and MB, the use of the building hereby permitted shall be solely an agricultural use.

- 6 The use hereby permitted must cease during any period that the rating level of noise (as defined by BS4142:1997) emitted from the grain drying exceeds 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997(or such other standard which may supersede it from time to time).

*This application is before this Committee since the recommendation is for approval and is for a major commercial development and is contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (c) and (g) ).*

#### **Description of Site:**

The application site is at a farm to the east of High Ongar. The main vehicular access to the farm is on the southern side of Chelmsford Road off, the A414.

Surrounding land falls to the west, in the direction of Clatterford Bridge. To the north of the site the ground falls to a watercourse, which runs into the River Roding to the west, then rises again towards properties on the southern side of The Street. A public footpath, between Clatterford End and Paslow Hall, runs to the south.

The site is within the Green Belt.

#### **Description of Proposal:**

Erect a steel portal framed agricultural purpose designed grain storage building with a grain drying facility.

The proposed building would be 4m to the west of an existing building used for storing potatoes.

The building would be 36.6m long by 24.4m wide and have a height to the ridge of its gable roof of 10.8m, 7.6m to the eaves. External walls would be of concrete walling panels from ground level to 3.6m in height then box profiled steel sheeting with a grey finish. The roof would be of corrugated fibre cement sheeting of a grey colour. On the southeast elevation would be two roller shutter doors of identical design and dimensions. Each door would be 6m wide by 6.5m high. An opening would be set in both gable ends of the building, i.e. the north-western and the south-eastern elevations. The plans show that these would be associated with an air duct and fan.

The building would be accessed by a small extension of the existing farm yard. The existing farm yard has a concrete surface.

#### **Relevant History:**

EPF/0145/11 - Retrospective application for continued use of two former agricultural buildings for B1 Business use and B8 storage and distribution use. – Granted 23/03/2011

#### **Policies Applied:**

CP2	Quality of Rural and Built Environment
GB2A	Development in the Green Belt
GB11	Agricultural Buildings
HC12	Development Affecting the Setting of Listed Buildings
DBE1	Design of New Buildings

DBE4            Design in the Green Belt  
DBE9            Loss of Amenity  
LL4             Agricultural/forestry Related Development

Essex Farm Buildings SPG

NPPF

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 9

Site notice posted: 06/02/2015

Responses received:

14 MILL GROVE, HIGH ONGAR has commented "Having studied the plans and establishing the location of the proposed building, my concerns are for the noise level that may be produced by the drying fans.

There is already a distinct background hum from the existing buildings when their extraction fans are in use and I would want assurance and clarification of the noise level that will be produced by the new building. It is obviously during the summer months when neighbours are in gardens, and have windows open that the background noise can be intrusive."

PARISH COUNCIL: We are objecting to the above application, as we feel that it will have a detrimental effect on the neighbouring properties (6 properties in total), with regard to noise pollution, dust pollution and increased farming traffic. The positioning of the proposed building is on agricultural land which will enlarge the Farm Yard Curtilage.

Overall we believe that the position of the barn is unacceptable, due to the close proximity to the neighbouring properties, the increased noise, traffic, pollution and dust from the farming machinery. We believe that a better position for the Barn should be erected to the South of the existing site.

LAND DRAINAGE TEAM: No objection in principle. Conditions required regarding improving surface water runoff and details of surface water drainage.

ECC HIGHWAYS: From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

ENVIRONMENTAL HEALTH: It should not be necessary to regulate the land contamination risks for this proposal under the Planning regime.

CONSERVATION AND DESIGN TEAM: No objection.

### **Main Issues and Considerations:**

The main issues with this proposal are whether the development would be acceptable in the Green Belt, the appearance of the proposed building including any impact to the setting of a Listed Building and any adverse impact to any neighbour.

#### **Green Belt**

Supporting a prosperous rural economy while protecting Green Belt land are key constituents of the NPPF. Paragraph 28 refers to how plans should promote the development and diversification of agricultural businesses. At paragraph 89 it is stated that buildings for agriculture are exceptions to new buildings that are inappropriate in the Green Belt.

Policy GB2A states that planning permission will not be granted for the construction of new buildings in the Green Belt unless it is appropriate in that it is for agriculture. Policy GB11 relates specifically to agricultural buildings and states that planning permission will be granted for

agricultural buildings provided four criteria are met. The first is that such a building is demonstrably necessary for the purpose of agriculture within that unit.

The applicant, William Allison Farms Ltd., has extensive land in agricultural use in its ownership. It has been confirmed in writing that the building is for storage of dried wheat which will be yielded from the surrounding farmed land. It is understood that the farm extends to 468 hectares. Changes in the Common Agricultural Policy require the farm to grow three varieties of crops a year in rotation. This makes a new purpose-designed grain storage building necessary. There is also pressure from the markets to store crops over more than one season which also demands more storage capable of keeping a crop in good condition. The building would accommodate the additional storage required and provide a modern grain drying facility compliant with the latest regulations for the storage of foodstuffs.

An agricultural building appraisal was requested of the agent to identify why the existing buildings at the farm are unsuitable. Other buildings are unsuitable for the extent of storage required and due to reasons of eaves height not allowing modern farm machinery to be used, vermin security not being compliant with modern standards to store foodstuffs or lack of a drying facility.

#### Visual amenity

The position of the proposed building would be set below the skyline when viewed from the highway to the west. There is a hedge on the eastern side of this road and, as pointed out in the Essex Farm Buildings SPG, planting close to a viewpoint can be more effective than next to a building. The length and width of the proposed building would be similar to the potato store that visually would be immediately to the east. The height of the eaves and ridge of the proposed building would also seem to be comparable with the existing building next to which it would be set.

The proposed materials would match those of existing buildings forming the farm, particularly the potato store that would be 4m to the east.

The Conservation and Design Team has commented that the site includes Nash Hall, a grade II listed house of 17th century origins with later alterations. The setting of this building is already dominated by several large, modern agricultural buildings so the proposed addition of another grain storage building to the south-west of the listed house would not cause additional undue harm to the setting of the building. Therefore there is no objection with regard to the setting of the farmhouse, a Listed Building.

#### Impact to neighbours

The proposed building would be some 150m from the rear boundary of properties on Mill Grove and some 120m from the rear boundary of properties on Mill Lane. Given these distances, albeit that Mill Grove is on the other side of a valley, it is considered that the building and its use would not have a material impact sufficient to justify refusal of the application. Whilst the comment of the Parish Council and a local resident are noted, it is considered, especially given the importance that the NPPF gives to rural enterprise, that approval of the application would be appropriate.

#### **Conclusion:**

Officers consider that given the isolation distances from residential properties the application does not justify refusal and that the design is acceptable.

***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:***

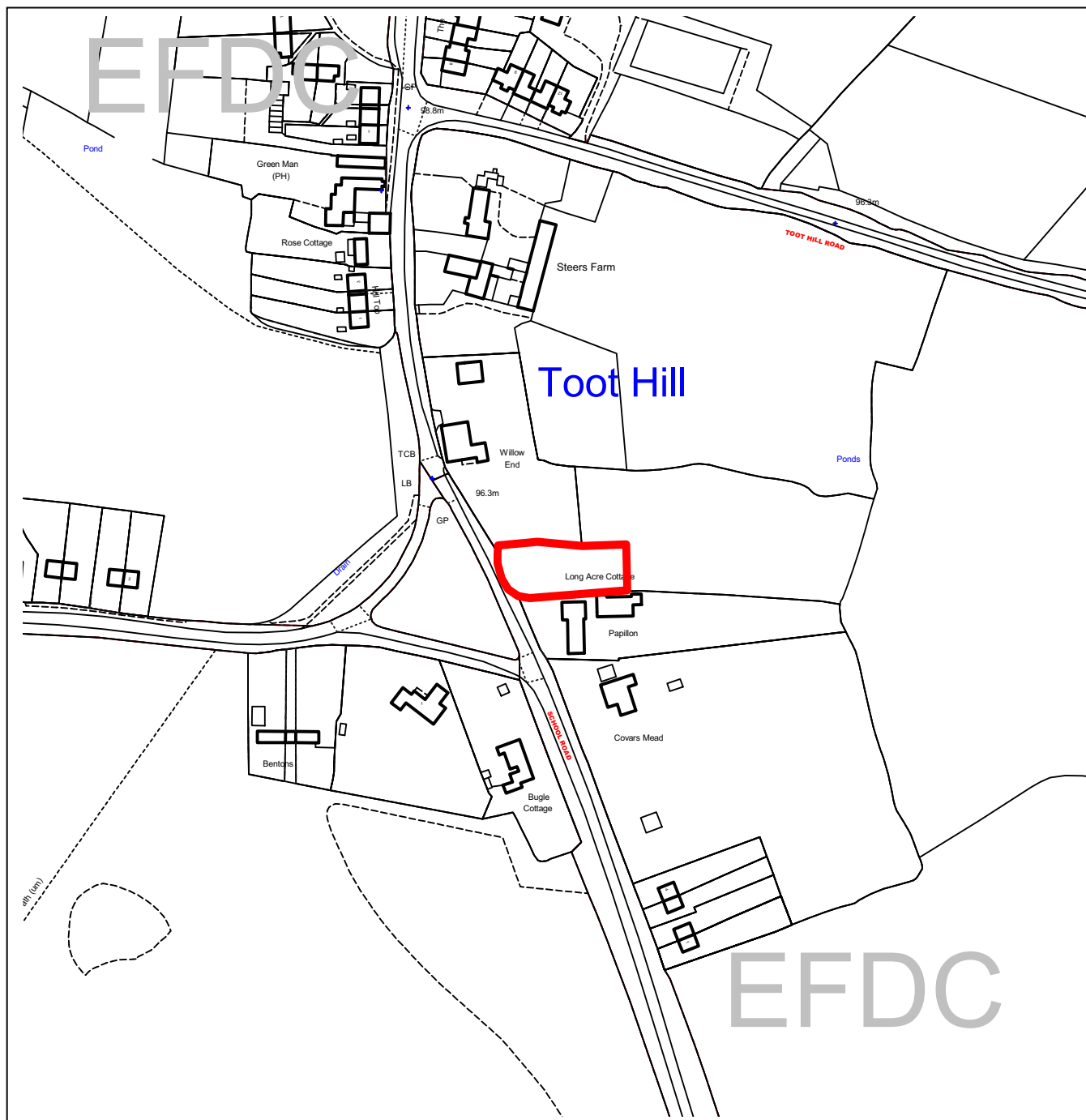
***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 6



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Application Number:	EPF/2936/14
Site Name:	Land adjacent to Longacre Cottage School Road, Stanford Rivers, Ongar CM5 9PU
Scale of Plot:	1/2500

**Report Item No: 6**

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

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572274](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572274)

**CONDITIONS & REASONS or REASON FOR REFUSAL**

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

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

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

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

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



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

**Description of Site:**

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

**Description of Proposal:**

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

**Relevant History:**

None

**Policies Applied:**

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

NPPF Para 89

**Summary of Representations:**

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

Neighbours – 7 consulted and 2 replies received:-

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

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

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

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

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

### **Issues and Considerations:**

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

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

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

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

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

### **Comments on representations received:-**

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

### **Conclusions:**

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

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

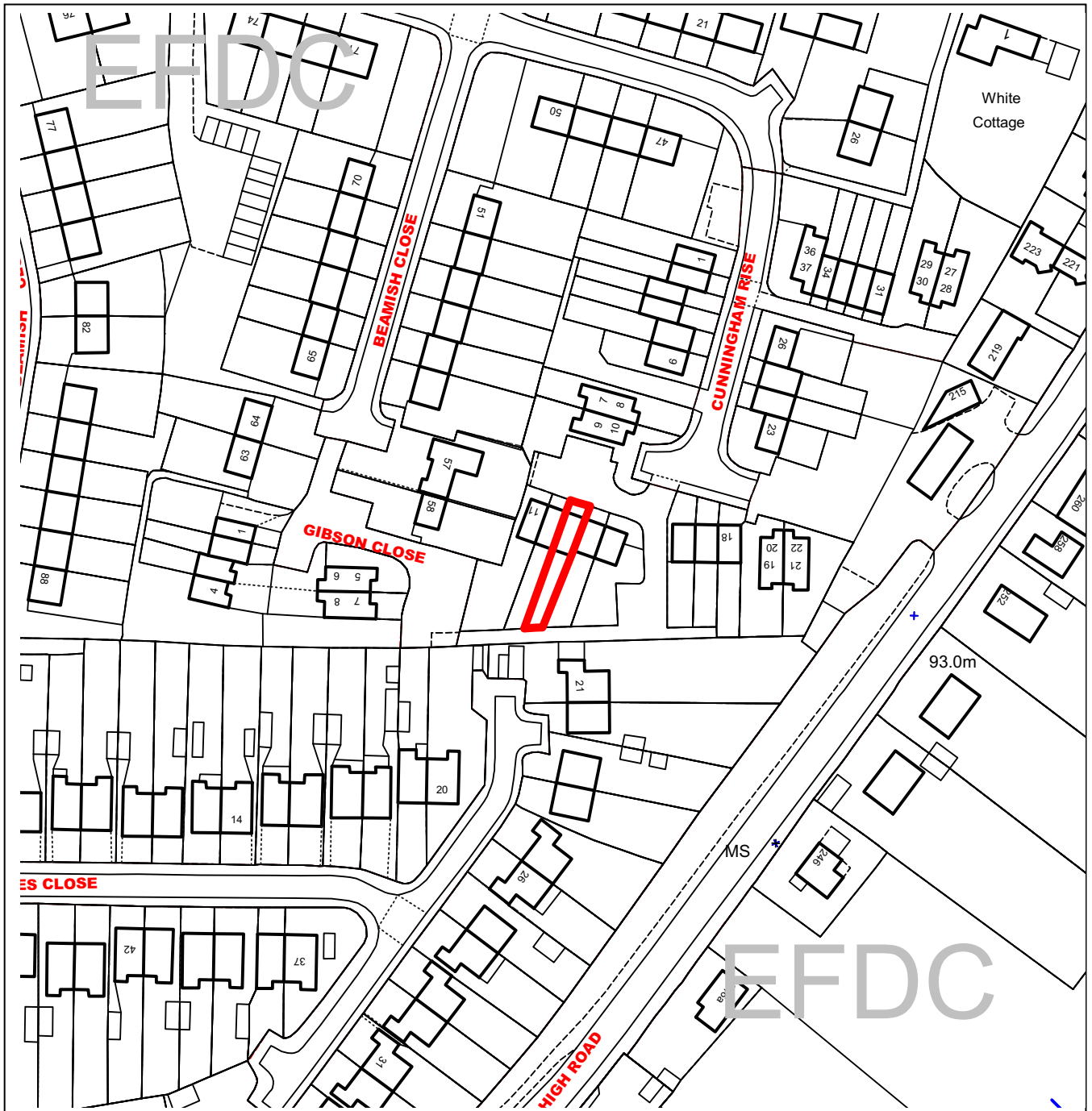
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 7



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Application Number:	EPF/0094/15
Site Name:	13 Cunningham Rise, North Weald Epping CM16 6JR
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0094/15
<b>SITE ADDRESS:</b>	13 Cunningham Rise North Weald Epping Essex CM16 6JR
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Paul Fletcher
<b>DESCRIPTION OF PROPOSAL:</b>	Rear garden store shed.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=573177](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=573177)

**CONDITIONS**

- 1 Materials to be used for the external finishes of the proposed development shall match those detailed in the proposed materials section (11) of the application form submitted, 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:**

Two storey terraced dwelling located on the south-western side of Cunningham Rise in North Weald. The dwelling benefits from a long thin garden with a pedestrian walkway away from public areas to the rear allowing access in to the gardens from the south.

Further to the south is side boundary of the front garden of No.21 Princes Close. There is an abundance of natural screening at a height of approximately 4m on this boundary.

**Description of Proposal:**

Planning permission is sought for the retention of a rear garden store/shed. The shed is between 3.5m and 4.2m deep, 3.6m wide (the width of the garden) and 2m to eaves level and 2.9m to ridge. The materials employed are brown stained timber feather boarding and coated corrugated steel roof in green. The shed is substantially completed but is yet to be finished pending the outcome of the planning application.

**Relevant History:**

None

## **Policies Applied:**

Local policies:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of new buildings

DBE2/9 – Loss of Amenity

DBE10 – Residential Extensions

National Planning Policy Framework 2012

## **Summary of Representations**

External:

NORTH WEALD PARISH COUNCIL: Objection – Excessive scale/size of shed

Neighbours: Three neighbours notified by letter. No responses received.

Internal: LAND DRAINAGE – No objection

## **Issues and Considerations:**

### **Background**

The planning application has been submitted in light of a complaint the Council's Planning Enforcement section received in November where the complainant was concerned that a large outbuilding was being constructed for possible habitation.

An application to regularise the situation was invited.

The main issues to be addressed are as follows:

- Character and Appearance
- Effect on Living Conditions

### **Character and Appearance**

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

The shed is between 3.5m and 4.2m deep, 3.6m wide (the width of the garden) and 2m to eaves level and 2.9m to ridge. The materials employed are brown stained timber feather boarding and coated corrugated steel roof in green. The shed is yet to be finished.

There are no officer objections to the design and appearance of the proposed development. The shed is slightly larger than average sized shed found in gardens of a similar size and at 2.9m high is 400mm higher than could be erected in this location without the need for planning permission. However given the siting of the shed within an area away from public viewpoints and with screening to the south along the side boundary of No.21 Princes Road it is not considered that the additional 400mm above the permitted development maximum justifies a reason for refusal here.

Although the shed can be seen by the neighbours along the terrace within which is the application site, no objections have been received from the immediately adjoining neighbours. It is not considered that the shed would be materially harmful to the visual amenities of the area.

On balance therefore, the proposal would comply with policies CP2 and DBE10 of the adopted Local Plan and Alterations.

#### Effect on Living Conditions

Due consideration has been given in respect to the potential harm that the proposed development might have upon the amenities enjoyed by adjoining property occupiers.

The shed is sited at the rear of gardens approximately 17m in length. The shed itself is between 3.5m and 4.2m in length so at its closest would be in excess of 12m from the nearest rear elevations. Given its size and siting at a sufficient distance from the neighbouring dwellings it is not considered to materially prejudice the living conditions of the neighbours. Even within the gardens, the shed to its eaves would be no higher than a 2m high fence that could be erected without permission and the roof pitches away from the boundaries to an overall height of 2.9m.

Views from Princes Close are obscured by garages and boundary screening to the south of the site. Views from Gibson Close to the west are too far for the shed to be injurious to the closest occupiers living conditions.

It is not considered that the structure would appear significantly overbearing when viewed from the neighbours' gardens and surrounding area.

With regards to the initial concern that the shed could be used for human habitation, there is no evidence that this would occur. On site, the applicant explained that the shed was for storage and needed to be the height it is in order to store his fishing equipment above.

Even so, it is not unlawful for outbuildings to be used as ancillary living accommodation to the main dwellinghouse and to use the shed as a separate residential unit would require a formal planning application being submitted.

Therefore in conclusion, the revised proposal is considered acceptable in neighbouring amenity terms and is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006)

#### **Conclusion:**

In conclusion, the development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the NPPF. It is therefore recommended that permission be granted 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:***

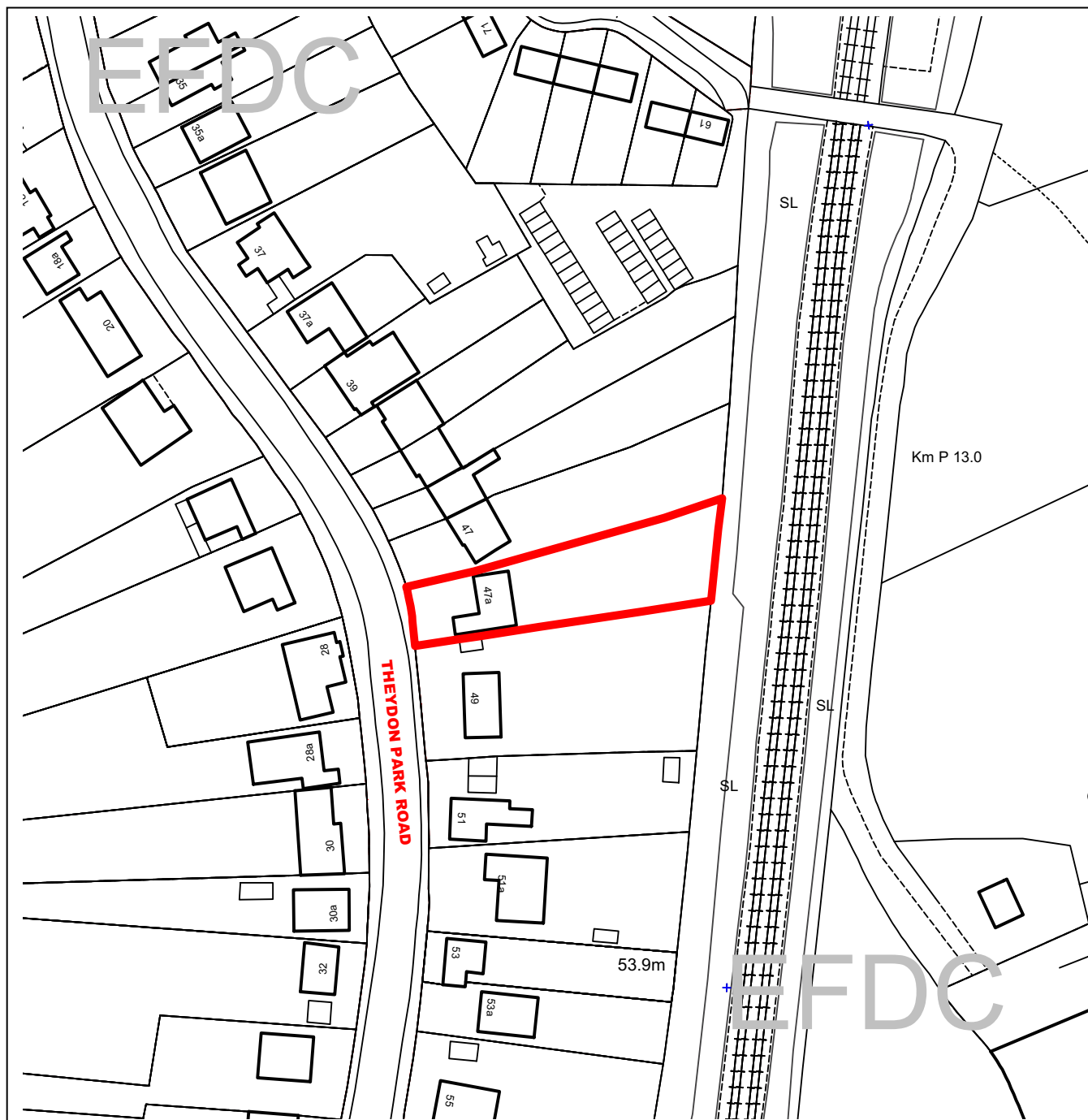
***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564337***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 8



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Application Number:	EPF/0180/15
Site Name:	47A Theydon Park Road, Theydon Bois Epping CM16 7LR
Scale of Plot:	1/1250



**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0180/15
<b>SITE ADDRESS:</b>	47A Theydon Park Road Theydon Bois Epping Essex CM16 7LR
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Sarah Turner
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing two storey dwellinghouse and construction of a new two storey building, with accommodation in the roof, to provide 5 x 2 bedroom apartments, with associated car and cycle parking. Resubmission following refusal of EPF/2751/14.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=573399](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=573399)

**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:
- 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 openings in the north and south 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.
- 5 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.
- 6 Prior to first occupation of the development the access arrangements, parking layout and turning area shall be implemented as shown in principle on drawing no.04 Rev C, dated Jan 2015, and shall be provided with a minimum dropped kerb width of 5m.

- 7 Prior to first occupation of the development the redundant vehicular crossing shall be reinstated to full footway and kerb height.
- 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.
- 9 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.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 12 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.

*This application is before this Committee for the following reasons:*

*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))*

*since more than four objections, material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (f).)*

### **Description of site**

The application site is located within the settlement of Theydon Bois. The existing building is a two storey detached dwelling house situated within a relatively long and wide plot. The plot sits on a bend and so both adjacent dwellings (no.47 and no.49) are orientated away from the property. The existing rear building line of no.47A projects beyond that of the neighbour to the south (no.49) and the rear projection of no.47 is roughly the same as the existing rear of 47A. The locality is characterised by single dwelling houses the majority of which are two storey detached properties. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

### **Description of proposal**

The proposed development is to demolish the existing dwelling and erect a new two storey building to accommodate five new apartments with associated car and bicycle parking areas.

## **Relevant History**

EPO/0020/62 – erection of new dwelling adjacent to no.47 Theydon Park Road - Approved

## **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment  
CP7 – Urban Form and Quality  
H2A – Previously developed land  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in Urban areas  
DBE6 – Car Parking in New Development  
DBE8 – Private amenity Space  
DBE9 – Impact on amenity  
ST6 – Vehicle Parking

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**

18 Neighbours Consulted – The addresses below have registered an OBJECTION to the application.

65 Theydon Park Road  
68 Forest Drive  
87 Theydon Park Road  
51 Theydon Park Road  
1A The Green  
71 Theydon Park Road  
33 Theydon Park Road  
61 Theydon Park Road  
10 Blackacre Road  
Unspecified Address in Theydon Park Road  
47 Theydon Park Road  
45 Theydon Park Road  
28A Theydon Park Road  
53 Theydon Park Road  
17 Hill Road  
75 Theydon Park Road  
5 Blackacre Road  
85A Theydon Park Road  
67 Theydon Park Road  
52A Theydon Park Road  
50 Theydon Park Road  
54 Theydon Park Road  
77A Theydon Park Road  
53B Theydon Park Road  
26 Theydon Park Road  
30 Theydon Park Road  
Unspecified Address  
39 Theydon Park Road

43 Theydon Park Road  
41 Theydon Park Road  
32 Theydon Park Road  
59 Theydon Park Road  
69 Theydon Park Road  
53A Theydon Park Road  
38 Theydon Park Road  
83 Theydon Park Road  
25 Theydon Park Road  
6 Hill Road  
32A Blackacre Road  
77 Theydon Park Road  
21 Blackacre Road  
14 Blackacre Road  
37 Theydon Park Road  
35A Theydon Park Road  
45 Theydon Park Road  
35 Theydon Park Road  
48 Theydon Park Road  
28 Theydon Park Road  
43 Morgan Crescent  
37 Theydon Park Road  
34 Theydon Park Road  
14 The Green  
Theydon Bois Action Group  
65 Theydon Park Road  
68 Theydon Park Road  
87 Theydon Park Road  
33 Theydon Park Road  
10 Blackacre Road  
71 Theydon Park Road  
61 Theydon Park Road

Many letters of objection were received. The planning considerations raised by neighbours are summarised below:

- The development will be overbearing to neighbouring properties
- Proposal will cause overlooking to adjacent neighbours
- It will set an undesirable precedent in the locality
- The development is in stark contrast to the character of the area
- Insufficient car parking
- Cars will dominate Theydon Park Road and street parking will increase
- There is insufficient landscaping to the front of the site
- The design is in stark contrast to the character of the street scene
- It is an overdevelopment of the site.

#### THEYDON BOIS PARISH COUNCIL – OBJECTION -

This is a revised application and the only difference that we see is that there is now no landscaping, a removal of a tree. The problem of insufficient parking remains the same, with the bays being smaller than EFDC recommended size and a complete overdevelopment of the site. As such our previous strong objection remains the same.

The Parish Council feels that this proposed development is completely out of character and keeping to the street scene, and a completely inappropriate overdevelopment of the site. The proposed building is vast compared to the one already in existence and will have a detrimental impact on the neighbouring properties mainly No 47 and 49 Theydon Park Road. The impact on neighbours will be that of obscured light and unacceptable overlooking. The quiet amenity of the area will be markedly reduced. The neighbours have also written to object to the overdevelopment.

The Council are in complete agreement with Essex Highways, as the proposed parking bays layout and parking provision is inadequate, and would therefore cause off street parking. Also the parking dimensions do not conform to the minimum bay sizes within Parking Standards. The Parish also feel that there is insufficient room to manoeuvre safely and efficiently within the site.

We also note that the lack of landscaping on this development and car parking issues mean that the street scene will deteriorate and it will be untypical of the road. It does not meet the design standards of the Essex Design Guide – that the parking should be hidden. And the high density of the flats means that the top apartment will have proper outlook.

### **Issues and Considerations**

The new apartments provide a good standard of living accommodation and suitable amenity space. Therefore the main issues to consider when assessing this application are the effects of the proposal on the living conditions of neighbours, the design of the proposal in regards to the existing building and its setting, Landscaping issues, Parking and Access, contamination and land drainage issues.

### **Neighbour Amenity**

The replacement building will be set further back into the site than the existing dwelling. It will project an additional 10.8m beyond the current rear building line of the existing property. This will include an additional 6m close to the boundary with no.49. After 6m the building is set 2.6m from the shared boundary with no.49 for an additional 4.8m. No.49 has a very wide garden, some 26m across, over double the width of the application site. The property itself is also set away from the shared boundary and orientated away from the application site. In addition the roof of the proposed building pitches away from this shared boundary. As such although the application proposes a very significant increase in the net projection in relation to no.49, officers consider on balance that it would not appear excessively overbearing or cause significant loss of light to this neighbour.

The new building will project 6m past the current rear elevation of the property. This 6m net projection will be set approximately 4m from the shared boundary with no.47. After 6m, the extension is stepped further away from the boundary to a distance of 6m. The building then projects a further 4.8m. No.47 is orientated away from the application site to a significant extent. Furthermore it has a relatively long garden with open views towards the rear of the property. In addition the hipped roof of the new building will pitch away from no.47. As such the building will not appear excessively overbearing or cause significant loss of light to no.47.

There are no first floor windows proposed in either side elevation and so there is no potential overlooking into private areas of the two adjacent neighbours. Skylights are proposed in the roof, however their high position in the roof will not allow for any overlooking.

The introduction of five flats will cause a higher amount of movements from residents using the site. However the movements will not be excessively greater than the existing situation and as such there will be a minimal increase in disturbance to neighbouring residents.

### Design

This part of Theydon Park Road is characterised by relatively large detached properties, the majority of which have a hipped or gabled roof design. The new apartment building will read as a conventionally designed two storey dwelling house, not dissimilar to the neighbouring properties on Theydon Park Road. Its ridge height will not be excessively higher than the two adjacent properties (no.47 and 49 Theydon Park Road) and therefore it will not appear overly prominent in the street scene.

The majority of the neighbouring properties are single housing units and this development would introduce apartments into the locality. Although it introduces a more intensive type of accommodation into Theydon Park Road, its subtle design and unassuming appearance in the street scene means it will cause minimal harm in the context of the street scene. There has been concern raised by numerous neighbours that the approval of planning permission may lead to an unwanted precedent into the locality. However, each site is treated on its own planning merits and the Council will have control over any subsequent application received. In any event, the introduction of apartments will not cause any substantial harm to the character of the locality. There will be five car parking spaces sited at the front of the site and they will appear relatively prominent in the street scene, however they are organised in a single row, set against the backdrop of the apartment building. Other neighbouring front gardens have hard surfaced front garden areas and as such, parked vehicles will not appear too dominant in the street scene.

### Landscaping issues

There is a robust row of hedging at the front of the site between the application property and No.49 Theydon Park Road. Whilst the hedging is an attractive feature in the street scene it does not benefit from protected status and therefore its removal could not be prevented if the owner was thus inclined. Furthermore the applicant has left space for the planting of vegetation at the front of the proposed block to soften its appearance in the street scene. This can be secured through the use of a planning condition.

### Parking and access

The offer of five car parking spaces is acceptable in principle given that the site is within walking distance of Theydon Bois Underground Station. The revisions to the parking layout and sizes have overcome the Highway officers' objections from the previous refusal. The proposal is therefore compliant with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, the Parking Standards Sept 2009 and policies ST4 & ST6 of the Local Plan.

### Contamination

Having regard to Council records, there is no evidence of any potentially significant contaminating activities having taking place historically on the site (records indicate that the site formed part of an agricultural field until the end of the 19<sup>th</sup> Century when it became part of the garden of Sutton Lodge, became part of the garden of 47 Theydon Park Road around 1920, and 47A Theydon Park Road in 1962). As there is unlikely to be any significant contamination present, it would be unreasonable to require the developer to carry out a detailed land contamination investigation through the imposition of standard land contamination conditions. It is the responsibility of the developer to ensure the safe development of the site.

### Land Drainage

The applicant is proposing to dispose of surface water by main sewer/soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required and these details can be secured through the use of a planning condition.

### **Conclusion**

This is a very balanced recommendation. It is considered that the design is appropriate, landscaping is acceptable through condition, contamination and land drainage issues can also be acceptable through conditions and parking and highway issues are acceptable. There will be a visual impact on the neighbour at no.49, but this is a wide plot and the main amenity area used by the residents is located away from the proposed extension. It is recommended that 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: James Rogers**  
**Direct Line Telephone Number: 01992 564 371**

or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)

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