

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 15th July, 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, 15th July, 2015
at 7.00 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

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

Members:

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

PLEASE NOTE THAT THE MEETING HAS BEEN BROUGHT FORWARD TO 7 PM

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 - 34)

To confirm the minutes of the last meeting of the Sub-Committee, held on 17 June 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 35 - 116)

(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. PROBITY IN PLANNING - APPEAL DECISIONS, 1 OCTOBER 2014 TO 31 MARCH 2015 (Pages 117 - 122)

(Director of Governance) To consider the attached report.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the

Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

Area Planning Subcommittee East 2015-16
Members of the Committee:



Cllr Jones	Cllr Keska	Cllr Avey	Cllr Bedford	Cllr Boyce
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Cllr Brady	Cllr Breare-Hall	Cllr Church	Cllr Grigg	Cllr McEwen
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Cllr Morgan	Cllr Philip	Cllr Rolfe	Cllr Stallan	Cllr Surtees
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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:** 17 June 2015
East

Place: Council Chamber, Civic Offices, **Time:** 7.32 - 10.25 pm
High Street, Epping

Members Present: S Jones (Chairman), P Keska (Vice-Chairman), N Bedford, A Boyce, H Brady, W Breare-Hall, A Grigg, M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, B Surtees, G Waller, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: N Avey, T Church and C Whitbread

Officers Present: J Shingler (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and P Seager (Chairman's Secretary)

1. 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.

2. 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.

3. MINUTES

RESOLVED:

That the minutes of the meeting held on 13 May 2015 be taken as read and signed by the Chairman as a correct record.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a non pecuniary interest in the following item of the agenda by virtue of having served as Chairman of the Overview and Scrutiny Panel/Committee which had dealt with this issue. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2880/14 Blakes Golf Club, Epping Road, North Weald CM16 6RZ

(b) Pursuant to the Council's Code of Member Conduct, Councillor B Surtees declared a non pecuniary interest in the following item of the agenda by virtue of having been a Member of Ongar Town Council. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0660/15 Ongar Leisure Centre, Fyfield Road, Ongar CM5 0GA

(c) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a non pecuniary interest in the following item of the agenda by virtue of living at Bower Hill. The Councillor determined that he would remain in the meeting for the consideration of the application but would abstain from voting:

- EPF/0871/15 22 Bower Hill, Epping CM16 7AD

5. ANY OTHER BUSINESS

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

6. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 13 be determined as set out in the schedule attached to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0660/15
SITE ADDRESS:	Ongar Leisure Centre Fyfield Road Ongar Essex CM5 0GA
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Application for a limited period (2 years) for modular units and associated facilities for school use (Class D1).
DECISION:	Grant Permission - Time Limited Use (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=574533

The Officer brought the attention of Members to a late representation from Essex County Council Education and Lifelong Learning. The Officer also pointed out amendments to conditions 1 and 10 to allow more time for the removal of the facility until 1st September 2015.

CONDITIONS

- 1 The use shall cease and the development hereby permitted shall be removed from the site together with any associated materials and the land restored on or before 1 September 2017 leaving afterwards only the hard surfaced area and the perimeter fencing.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 100 P3, 101 P3, 103 P2, 110 P2, 111 P2, 120 P3, SK-002.
- 3 Within 3 months of the commencement of the development, details of foul and surface water drainage disposal shall 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 The premises shall be used solely for education purposes and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class M of Part 7 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 The development shall only be undertaken in accordance with Mace Construction Management Plan (5th May 2015) and Mace Site Plan Construction Access, drawing number 103 P2 dated 11th March 2015 unless the Local Planning Authority gives its written consent to any variation. The Management Plan shall be adhered to throughout the construction period.
- 8 All ground works, deliveries and/or demolition shall be in accordance with the submitted Construction Management Plan (CMP) by Mace Ltd. The CMP shall be adhered to throughout the construction period.
- 9 Notwithstanding the draft Travel Plan submitted with this application, prior to first occupation of the development a school travel plan shall be submitted to and approved in writing by the Local Planning Authority.
- 10 The new access gates and barrier fencing shown between Ongar Leisure Centre and Existing Car Park on drawing no. 110 P2 and shall be erected prior to first occupation of the approved building and retained for the full duration of the planning permission after which it shall be removed on or before 1 September 2017 unless otherwise agreed in writing by the Local Planning Authority.
- 11 At no time shall there be ball-games in the play area as shown on drawing no. 110 P2.
- 12 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.

Should this occur, 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.

Report Item No: 2

APPLICATION No:	EPF/2880/14
SITE ADDRESS:	Blakes Golf Club Epping Road North Weald Epping Essex CM16 6RZ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	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.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572011

Members requested that the 3 Ward Councillors and North Weald Parish Councillors be notified of the 6 week period within which the works on site will take place and the 20 days within that period when lorry movement will take place.

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 Not more than a total of 591 lorry loads of material shall be brought into the site in connection with the development hereby approved, of which 213 loads shall be compost from the Ashlyns Farm Site opposite the application site as specified in the supporting information.
- 4 All lorries to and from the site shall be routed from the A414 only and shall not travel through North Weald or Ongar. All lorries exiting the site shall be required to turn left onto the A414.
- 5 All works on site shall be completed within a 6 week period. The proposed lorry movements shall take place on a maximum of 20 days (cumulatively) within that six week period. Prior to the commencement of development a timetable of works specifying the six week period in which all works will be completed and the 20 dates within that period on which lorry movements will take place, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the agreed timetable.

- 6 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.
- 7 The amount of material brought in for the purposes of this development shall not exceed 8000 cubic metres in volume made up of 5800m³ of topsoil and compost and 2200m³ of engineering clay, all of which shall be used for the development hereby approved.
- 8 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]
- 9 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]
- 10 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]

- 11 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.
- 12 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.

Report Item No: 3

APPLICATION No:	EPF/0459/15
SITE ADDRESS:	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Raising of height of roof and provision of three dormer windows at front and three to the rear, erection of part one, part two and part three storey rear extensions and conversion of garage into a gym. (Revision of planning permission EPF/2150/11).
DECISION:	Deferred for Site Visit

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=574038

Members deferred this item in order that a site visit could be undertaken.

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 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.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevation facing south towards the neighbouring Coopers Court, 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.

Report Item No: 4

APPLICATION No:	EPF/0535/15
SITE ADDRESS:	Copper Beech Harlow Common North Weald Essex CM17 9ND
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Proposed replacement dwelling and garage block in lieu of existing dwelling and outbuildings. Re-application of EPF/2903/14.
DECISION:	Application withdrawn by Applicant

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=574219

Report Item No: 5

APPLICATION No:	EPF/0663/15
SITE ADDRESS:	Epping Magistrates Court Hemnall Street Epping Essex CM16 4LU
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of Epping Magistrates Court and redevelopment to provide 8 apartments with associated access, car parking and hard landscaping.
DECISION:	Agreed to Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574536

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 768-PI-01, 02, 03, location plan.
- 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 The proposed development shall be carried out in accordance with the flood risk assessment (Richard Jackson Engineering Consultants -Proposed Redevelopment- Epping Magistrates Court, Project 45660, March 2015) and drainage plan (45660/P/SK01) submitted with the application unless otherwise agreed in writing with the Local Planning Authority
- 5 Prior to the commencement of any works dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England (or other relevant body) and submitted to the Council for approval. Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to for approval.

Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to the Council. The licence will be granted if the

activity conforms with the Habitats Regulations Regulation 53 Three Stage Test and Local Authority planning consent has been granted.

All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

- 6 No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work, including a photographic recording of the building, in accordance with a written scheme of investigation which has been submitted by the applicant and approved 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.
- 8 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 11 Prior to first occupation of the development, the Developer shall be responsible for the provision, per dwelling, and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Subject to the completion of an agreement under S.106 of the Town and Country Planning Act 1990 agreeing a timeframe for the redevelopment of the site following demolition.

Report Item No: 6

APPLICATION No:	EPF/0670/15
SITE ADDRESS:	The Laurels New Road Lambourne End Essex RM4 1DY
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Demolition of single storey annexe to the rear and erection of a part one and part two storey dwelling on land to the rear with a self contained annexe on the first floor.
DECISION:	Grant Permission (with Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574593

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 All buildings, structures and land containers shown to be removed on the approved plan, shall be fully removed from the site prior to first occupation of the dwelling hereby approved.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 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 first occupants of the dwelling hereby approved shall be the applicants, Mr and Mrs. K. Green and their son, Steven.
- 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 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.
- 8 The conifer and trees on the boundaries of the site shall be retained unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1255/11A, 1255.21, 1255.31, 1255.41, 1255/51, 1255.61

Report Item No: 7

APPLICATION No:	EPF/0680/15
SITE ADDRESS:	94-96 High Road North Weald Bassett Essex CM16 6BY
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Proposed 1 no. 2 bed flat and 1 no 1 bed flat in the existing roof of the property with front, side and rear dormer windows. Two storey front extension to gain access to flats in roof (Revision to EPF/2827/14)
DECISION:	Deferred

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=574616

Members deferred this item in order that a site visit could be undertaken and more information supplied.

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 development hereby permitted will be completed strictly in accordance with the approved drawings nos: ONWEF/14/1-3, 04a (received amended 4/6/15), 5b (received amended 4/6/15), 6a, 7a, 8b (received amended 4/6/15), 9a (received amended 4/6/15), 11, 15, 16, location plan.
- 4 The proposed window opening in the flank elevation serving the dormer window shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 The parking area shown on the submitted plans shall be permanently retained for this purpose and remain free from obstruction which prevents the parking of vehicles.

Report Item No: 8

APPLICATION No:	EPF/0692/15
SITE ADDRESS:	Land to the rear of Triptons Oak Hill Road Stapleford Abbots Essex RM4 1JJ
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings, erection of two bungalows, formation of four parking spaces, erection of garden fencing.
DECISION:	Deferred

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=574654

Due to time constraints this item was not heard. It will be considered at the next meeting on the 15th July.

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 public's rights and ease of passage over public footpath no.26 Stapleford Abbots shall be maintained free and unobstructed at all times.
- 3 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.
- 4 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.
- 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 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 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.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 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.
- 13 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.
- 14 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1287.1A, .2A, 3 and 4

Report Item No: 9

APPLICATION No:	EPF/0735/15
SITE ADDRESS:	Home Farm Barns Stewards Green Road Fiddlers Hamlet Epping Essex CM16 7PG
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and structures, and erection of 2 new dwellings
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574734

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: Job No. 1304 Drawing numbers : 1340_001 Rev PP3, 1304_002 PP4, 1304_003 PP3, 1304_004 PP2, 1304_005 PP2, 1304_006 PP1, 1304_008 PP4, 009 PP3, 010 PP3, 1304_013 PP2, 014 PP2, 015 PP2.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 The development shall be carried out in accordance with the flood risk assessment (ref:CCE/N531/FRA-01 December 2013) and drainage strategy submitted with the application unless otherwise agreed in writing by the Local Planning Authority.
- 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 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 Prior to first occupation of the development the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the highway verge.
- 12 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced and sealed. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 There shall be no discharge of surface water onto the Highway.
- 15 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.
- 16 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.
- 17 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.

- 18 The precautionary clearance methods as identified in Section 5 of the submitted Extended Phase 1 Habitat Report P2175.3.0 shall be undertaken, and prior to the completion of the development details of habitat enhancement shall be submitted to and agreed in writing by the Local planning Authority. The agreed enhancements shall be completed prior to the first occupation of the dwellings hereby approved.
- 19 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) England 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 21 No gates shall be erected at the entrance to the site.

Report Item No: 10

APPLICATION No:	EPF/0744/15
SITE ADDRESS:	90 The Orchards Epping Essex CM16 7AT
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Proposed single storey side/rear extension and garage conversion
DECISION:	Deferred

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=574773

Due to time constraints this item was not heard. It will be considered at the next meeting on the 15th July.

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

Report Item No: 11

APPLICATION No:	EPF/0753/15
SITE ADDRESS:	22 Coopersale Street Epping Essex CM16 7QJ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Construction of detached amenity outbuilding
DECISION:	Deferred

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=574815

Due to time constraints this item was not heard. It will be considered at the next meeting on the 15th July.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.
- 3 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.
- 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.

Report Item No: 12

APPLICATION No:	EPF/0851/15
SITE ADDRESS:	Pizza Express 208-212 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Advertisement consent for two externally illuminated projecting signs, and halo illuminated individual fascia lettering.
DECISION:	Deferred

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=575055

Due to time constraints this item was not heard. It will be considered at the next meeting on the 15th July.

CONDITIONS

- 1 The maximum luminance of the signs granted consent by this Notice shall not exceed 100 candelas per square metre.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1139/02 E

Report Item No: 13

APPLICATION No:	EPF/0871/15
SITE ADDRESS:	22 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Creation of parking area to front of property to include a vehicular crossover.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575133

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 There should be no obstruction above 600mm in height within a 2m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained as such in perpetuity.
- 3 Prior to first use of the vehicular access it 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 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 4 There shall be no discharge of surface water onto the Highway.
- 5 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

AREA PLANS SUB-COMMITTEE 'EAST'

Date 15 July 2015

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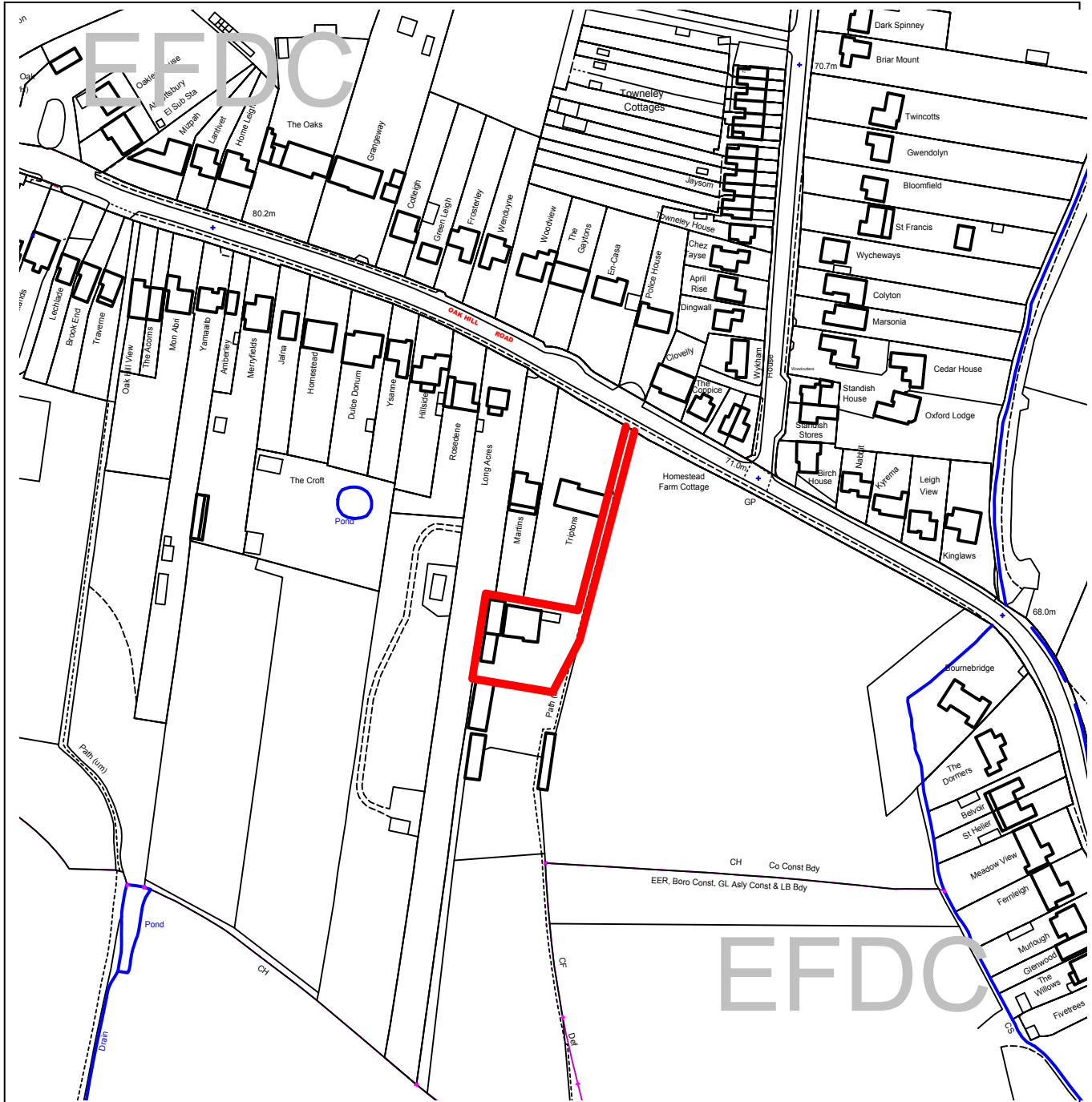
10	EPF/1016/15	Irenic Orchard Ashlyns Lane Bobbingworth Essex CM5 0NB	Grant Permission (With Conditions)	102
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/0692/15
Site Name:	Land to rear of Triptons, Oak Hill Road, Stapleford Abbots, RM4 1JJ
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/0692/15
SITE ADDRESS:	Land to the rear of Triptons Oak Hill Road Stapleford Abbots Essex RM4 1JJ
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr Collin Hunt
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings, erection of two bungalows, formation of four parking spaces, erection of garden fencing.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574654

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 public's rights and ease of passage over public footpath no.26 Stapleford Abbots shall be maintained free and unobstructed at all times.
- 3 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.
- 4 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.
- 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 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 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.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 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.
- 13 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.
- 14 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1287.1A, .2A, 3 and 4

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

Triptons is located within the settlement of Stapleford Abbots. The application site is located to the rear of the existing dwelling and its garden and currently has three buildings which have been used previously as workshops, sheds, garages and kennels. The buildings are directly to the rear of the property known as 'Martins'. Access to the buildings is via a private access from Oakhill Road, which runs directly adjacent to Triptons. The application site is 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 all three buildings and to replace them with two bungalows.

Relevant History

EPF/1114/13 - Certificate of lawful development for existing use of building as residential. – granted certificate of lawfulness - This Certificate of lawfulness relates to the other building to the rear of the site.

ENF/0536/12 - Mobile home placed on site – Enforcement investigation carried out, the result of which was that the mobile home was not being used for residential purposes and therefore no breach of planning control had taken place.

EPF/2640/14 – Erection of two bungalows – Withdrawn – This was an application for the same development that is proposed in this application. It was considered by members of the East Area Planning Committee in January and was deferred for a site visit. The members site visit has now taken place, however the applicant withdrew the application due to a boundary dispute before the application could go before members again.

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
GB2A – Development in the Green Belt
GB7A – Conspicuous Development

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

9 Neighbours consulted –

LONG ACRES – OBJECTION – The plans breach my boundary, the garden area will overlook my living room and garden area.

STAPLEFORD ABBOTTS PARISH COUNCIL – OBJECTION – It is considered to be an overdevelopment of Green Belt land. There are also highway safety concerns as this site is located opposite the busy Tysea Hill T-junction with Oakhill Road, which has a restricted view at this location. Members were also concerned for the public right of way footpath which passes through the site parallel to the access road.

Comments on Stapleford Abbots Parish Council representation

The public right of way does indeed run through the existing access into Triptons and the buildings to the rear. The erection of two dwellings will not cause excessive vehicle movements which could compromise the safety or functionality of the public footpath.

Issues and Considerations

The new dwellings provide a good standard of living accommodation, suitable amenity space and adequate car parking. Therefore the main issues to consider when assessing this application are the effects of the proposal on the openness of the Green Belt, the living conditions of neighbours, the design of the proposal in regards to the existing building and its setting, highway concerns, any land drainage issues and contaminated land.

Principle of development

The site is located within the boundaries of the Metropolitan Green Belt. Currently there are three buildings towards the rear; the applicant states that the buildings are either entirely redundant or no longer required. The National Planning Policy Framework (The Framework) seeks to promote the effective use of land by reusing that which has been previously developed (brownfield land), provided that it is not of high environmental value. The Framework identifies that development in the Green Belt is inappropriate and should be refused unless very special circumstances can be demonstrated. However The Framework also gives certain exceptions which are by definition not inappropriate. This includes the limited infilling or the partial or complete redevelopment of brownfield land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The proposed new dwellings will replace the now disused buildings, which are of a permanent and substantial construction. Given that it is on previously developed land the development is not inappropriate. Furthermore the dwellings will be reasonably similar in size to the current buildings and therefore will not cause any further harm to the openness of the Green Belt. Given that it is sited away from public areas of the Oak Hill Road, it will not be visible from the road, however a public footpath does pass the site. There is a further lawful dwelling on land immediately to the rear of the application site (within the same ownership) and there is not therefore a further intrusion or expansion of residential character into the Green Belt. The dwellings and gardens will be bounded on three sides by existing residential uses and as such the harm to the Green Belt is limited.

It is acknowledged that with residential use, there will be an expected amount of vehicle movements and garden paraphernalia. However this is not uncommon in this locality and it will not cause excessive harm to the character of the Green Belt.

The location of the proposed dwellings to the rear of Triptons is a back land development which is somewhat against the wider pattern of development in the locality. However the need for housing in the district is high and there is a need to maximise the potential of sustainable brownfield sites to avoid additional development on greenfield sites. Furthermore, given that buildings already exist to the rear of Triptons, and an existing dwelling is already in existence to the rear, the harm caused in the context of the wider locality will be minimal.

Living conditions of neighbours

The dwellings are sited approximately 4.6m apart and have different orientations. As such neither property will appear significantly overbearing to the other, there will also be no potential overlooking into private areas of either dwelling. Therefore the living conditions of both dwellings will be of a good standard.

The access to the proposed dwellings will be via the existing private road which runs adjacent and in close proximity to Triptons. It is acknowledged that vehicular movements will most likely be audible to the occupiers of Triptons, however the vehicular movements associated with two new dwellings will not be excessive. As such there will be no significant harm to their living conditions.

The proposed dwellings are sited a significant distance from both Triptons and its adjacent neighbour 'Martins'. As such they will not appear overbearing or cause any loss of light.

The neighbour living at Longacres has objected on the grounds that the proposed garden areas will overlook their property and garden area. However, the rear elevation of Longacres is approximately 80m from the proposed development and therefore there will not be any overlooking into private areas of the dwelling.

Longacres has also raised concern that the drawings propose development onto their land. The applicant contends that the plans showing the shared boundary with Longacres has been altered to alleviate concerns of land ownership (by slightly straightening the boundary line). However there does not appear to be any difference on the proposed block plan from the previously withdrawn application.

However, the applicant has signed certificate A to indicate that the site is entirely in their ownership. Furthermore the applicant has indicated to officers that they will submit title deeds to the Council prior to the committee meeting which will show this to be the case. This information has not been received at the time of writing this report.

In any event the issue of land ownership is a civil matter between the applicant and the neighbour and do not form part of the assessment for this proposal. If the proposal does take in neighbouring land then it cannot be implemented without the agreement of the landowner.

Design

The bungalows are of a conventional design and have relatively low ridge heights in the context of other properties in the locality. Indeed, the new dwellings will not appear overtly visible when viewed from public areas of Oakhill Road. As such they will not appear overly bulky or prominent in the context of the street scene.

Highway issues

The Council's highway specialist has been consulted as part of this application and responded with the following observations:

The proposed development will not generate any more traffic than the existing uses of the buildings currently on the site. Consequently there is no highway safety or capacity issues associated with this development as such from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

The public's rights and ease of passage over public footpath no.26 Stapleford Abbotts shall be maintained free and unobstructed at all times. This will ensure the continued safe passage of the public on the definitive right of way and accessibility. The above measures are to ensure that this proposal 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.

Land Drainage

The site is located within an Epping Forest Flood zone and therefore it will be necessary for the applicant to provide a Flood Risk Assessment, which can be secured through the use of a planning condition. Land Drainage consent will also be required before the works are undertaken.

Contaminated Land

Its historic use as a stables and a builders yard and the presence of made ground means there is the potential for contaminants to be present on site, domestic dwellings with gardens are classified as a particularly sensitive proposed use. As it should be feasible to remediate potential worst case remediation, land contamination risks can be dealt with by way of conditions.

Conclusion

The proposed dwellings do not constitute inappropriate development in the Green Belt and do not harm its openness. They provide an acceptable level of parking, a good standard of accommodation, there will be no harm to the interests of highway safety or function, there will be no harm to the living conditions of neighbours and the design is conventional. Therefore it is recommended that members of the Planning Committee grant planning permission.

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

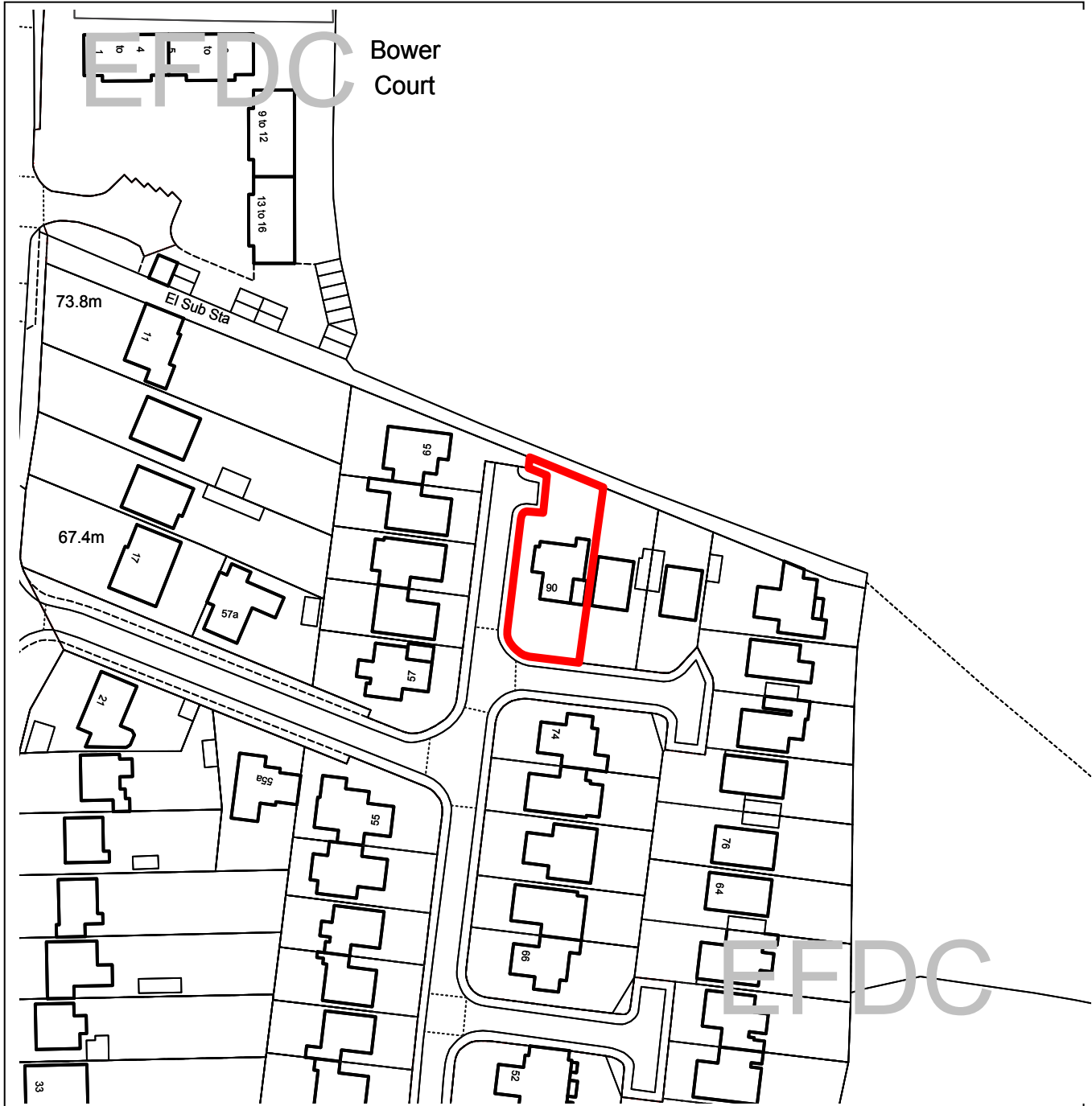
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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



Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/0744/15
Site Name:	90 The Orchards Epping, CM16 7AT
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0744/15
SITE ADDRESS:	90 The Orchards Epping Essex CM16 7AT
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mrs Lisa Penfold
DESCRIPTION OF PROPOSAL:	Proposed single storey side/rear extension and garage conversion
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574773

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 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 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 function, Schedule 1, Appendix A.(g))

Description of Site:

90 The Orchards is a detached 3 bed bungalow located within the 1970's Orchards estate which is comprised of bungalows of similar design. It is a corner property with its west and south elevations facing cul-de-sac roads and its rear (north) elevation backing on to Green Belt land. The rear garden is enclosed by a close boarded fence.

The site is not within the Green Belt or a conservation area.

Description of Proposal:

The proposal is to extend to the rear of the property at single storey to a depth of 4 metres. The extension is to be flat roofed and has a height of 2.630metres. A central roof lantern is proposed, which has a maximum height of 2.854m. The extension is to provide a larger kitchen and dining room and a play room. The proposals include the removal of an existing store and conservatory. The proposal is not extending closer to either of the side boundaries of the property.

The description of development includes conversion of the existing garage to a habitable room, but this element of the scheme does not require planning permission.

Relevant History:

EPF/0418/14 rear and side single storey extension- Refused (Officer delegated decision) 05/06/14
EPF/2836/14 Certificate of lawful development for single storey rear extension. Found not lawful under the permitted development rules.

SUMMARY OF REPRESENTATIONS

8 neighbours were consulted and a Site Notice was erected on 27th April, the following comments have been received:

TOWN COUNCIL - Committee object to this application.

Committee note that the size of the revised scheme is reduced from the previous proposal. However, it is their opinion that the proposed development will still be detrimental to both the street scene and the existing building, particularly as this property is a corner plot and therefore particularly visible. Relevant policies: DBE 9 (i), DBE10 (i), (ii) and (a)

The Orchards is an example of a particular period of 1970's urban design that placed the emphasis on open spaces around properties (hence no boundary fences or hedges) and a uniform external design and street scene as a whole.

The Town Council have repeatedly asked that consideration be given to designating The Orchards as an area where additional measures should be put in place to preserve the street scene should be taken whilst it is largely intact. Once the stock of medium sized bungalows has gone it will never be replaced because developers no longer build bungalows on large plots. This is detrimental to the housing mix in the town.

63 THE ORCHARDS - Once again my wife and I would object to this planning application on the same grounds as the initial one. The Orchards has a narrow road so if this was allowed we would look out of our front windows of number 63 at number 90's brick wall only a short distance away. Our scenic view would be ruined. We ask you not to allow this to happen.

Policies Applied:

Epping Forest District Local Plan:

CP7 Urban form and quality
DBE9 loss of Amenity
DBE10 residential extensions

The above policies are in accordance with the National Planning Policy Framework (NPPF) and are to be accorded due weight.

Issues and Considerations:

Background

This application follows the refusal last year of an application for extensions which included an extension to the side of the property that would have created an additional side gable facing number 63, extending right to the back edge of the pavement. That proposal was considered unacceptable by officers and refused due to the adverse impact on the street scene. The revised proposal follows the advice of officers not to extend to the side and to restrict the proposal to a low level rear addition.

The main considerations in the determination of the application are the impact of the development on the street scene, and on the amenities of neighbours.

Impact on Street Scene

The revised scheme is wholly within the rear garden of the property which is currently enclosed (to provide privacy, as are all the rear gardens on the estate. The current enclosure facing number 63 on the opposite side of the cul-de-sac is a close boarded fence above a low level brick wall and this follows the building line of the dwelling, so that there is an open area of grass and shrubs to the side of the property. The proposed side wall of the rear extension will replace part of this fence in the same position and will not be significantly higher, and will be no closer no closer to the road (or number 63 opposite) A window is proposed in this elevation which will break up the expanse of brick and the proposal will not therefore have any adverse impact on the street scene or on the character or amenity of the area, provided the materials used match those of the existing building.

Impact on neighbouring amenity

The property is detached from its neighbour to the east and the proposed extension is not extending any closer to that neighbour (number 88) The addition has a relatively low eaves height and although extending beyond the rear building line of number 88 will not result in any significant loss of light, nor will the proposal have an overbearing or unneighbourly impact. No overlooking will result.

With regard to the impact on the property on the opposite side of the road (number 63) there will be no material impact on amenity, in terms of light, outlook or privacy, as a result of the development, given the separation between the properties and that the side wall of the extension replaces the current high fence in the same position.

Other issues

The Town Council has raised concern regarding the increase in size of the bungalow and the erosion of the character of the area. As explained above the extension proposed is designed to be unobtrusive and in keeping with the existing bungalow and the street scene in accordance with policy DBE10. Whilst guidance and current policies seek to ensure that new housing developments achieve an appropriate mix of housing, there is no policy at present either within the local plan or the NPPF that requires the retention of medium sized bungalows, but in any case the extension proposed here (single storey and just 4 metres deep) cannot be regarded as excessive, the property still remains a medium sized bungalow on a relatively spacious plot.

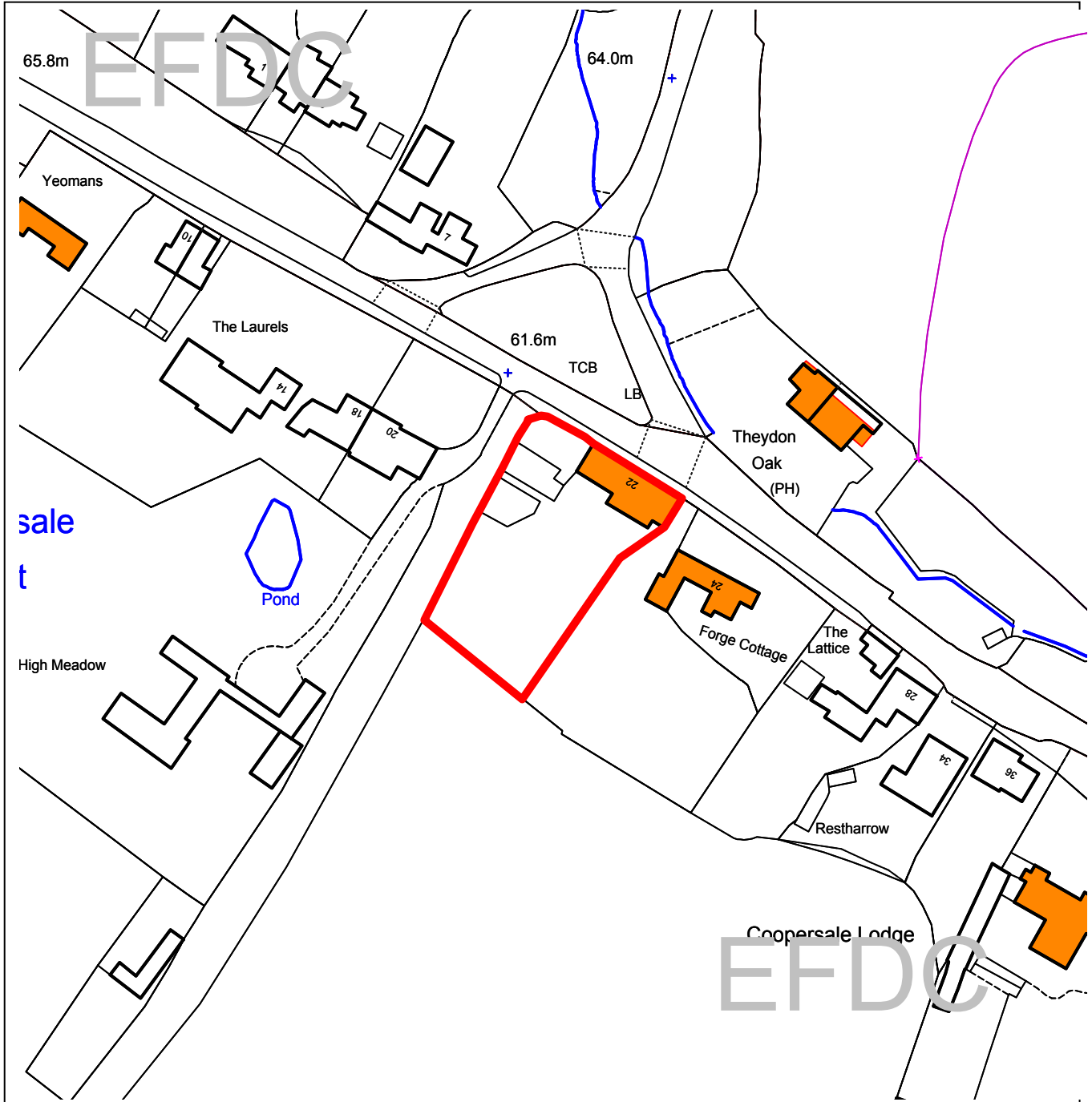
Conclusion

The development is in accordance with the adopted policies of the Local Plan and the NPPF and is recommended for approval subject to conditions.



Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/0753/15
Site Name:	22 Coopersale Street Epping, Essex, CM16 7QJ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0753/15
SITE ADDRESS:	22 Coopersale Street Epping Essex CM16 7QJ
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr A Mushtaq
DESCRIPTION OF PROPOSAL:	Construction of detached amenity outbuilding
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574815

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.
- 3 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.
- 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.

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

Description of Site:

Detached converted Grade II Listed barn located on the southern side of Coopersale Street opposite the Theydon Oak public house. There is an access track to the side of the barn which is designated as a public footpath, where there is also a parking area. There are a large number of trees within and on the boundary of the site.

The site is located within the Metropolitan Green Belt and Coopersale Street Conservation Area.

Description of Proposal:

Planning permission is sought for the erection of an outbuilding within the rear garden which would accommodate a play room/gym, sauna, steam room, wc/shower and kitchenette.

The building would be 9.8m deep by 6.35m wide with a maximum ridge height of approximately 4.35m and would be sited 10m from the rear of the main dwelling.

Relevant History:

LB/EPF/0051/92 - Listed Building application for conversion of barn to dwelling – approved/conditions 25/05/93

LB/EPF/0324/98 - Renewal of application LB/EPF/51/92 for conversion of barn to dwelling including alterations – approved/conditions 26/10/98

EPF/1121/03 - Erection of 1.9m high willow weave boundary fencing and gate - Approved

EPF/2385/04 - Erection of a detached garage and covered exercise pool – Withdrawn

LB/EPF/2386/04 - Grade II curtilage listed building application for the erection of a detached garage with storage over and a covered exercise pool – Withdrawn

EPF/1741/05 - New detached garage and garden store. (Revised application) – Approved but not implemented

EPF/0605/10 - Grade II listed building application for the insertion of flue for wood burning stove – Approved

EPF/2026/12 - Construction of an outbuilding to be used incidental to the dwelling house – Withdrawn

EPF/2396/14 - Construction of amenity building - Withdrawn

Policies Applied:

Local Plan policies relevant to this application are:

CP2 Protecting the quality of the rural and built environment

DBE1 Design of new buildings

DBE2 Detrimental effect on existing surrounding properties

DBE4 Development within the Green Belt

DBE9 Loss of Amenity
GB2A Development within the Green Belt
GB7A Conspicuous Development
LL1 Rural Landscapes
LL2 Inappropriate rural development
LL10 Protecting existing landscaping features
HC6 Character, appearance and setting of conservation areas
HC7 Development within conservation areas
HC12 – Development affecting the setting of listed buildings

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

Summary of Representations:

External

EPPING TOWN COUNCIL – OBJECTION: The proposed amenity building is located on the edge of the Metropolitan Green Belt and is a conspicuous development on green belt land. The footprint of the ancillary building is too large in relation to the principal dwelling and does not respect and enhance the character and appearance of the countryside.

NEIGHBOURS: Four adjoining neighbours notified by post and a site notice displayed.

EPPING SOCIETY – OBJECTION: Building remains large relative to main building and is overdevelopment. Needs more thought to design given its sensitive setting.

Internal

CONSERVATION – No objection subject to a conditions requiring further details of window and doors and external materials.

LANDSCAPING AND TREES – No objection subject to the addition of conditions relating to tree Protection and hard and soft landscaping.

Issues and Considerations:

The main issues to be addressed are:

- Green Belt
- Character and Appearance
- Living Conditions of neighbouring occupiers
- Landscaping
- Third party representations

Green Belt

Policy GB2A states that planning permission will not be granted for the use of land or the construction of new buildings in the Green Belt unless it is for the purposes of agriculture, horticulture, outdoor participatory sport and other uses that will preserve the openness of the Green Belt or conflict with the purposes of including land within the Green Belt.

The proposed outbuilding would have a footprint of approximately 62m² and would be sited approximately 10m from the rear of the dwelling.

The height of the building has now been revised since the last application to approximately 4.35m with the eaves at approximately 2.6m. The overall height is a little in excess of the maximum height allowed under permitted development however as the main dwelling is listed, planning permission is required for curtilage buildings.

Given that the building would be single storey it is not considered that the impact on the openness of the green belt would be such to recommend the building be refused.

Although there are views into the site from the open fields to the rear and there is a public footpath running adjacent to the west, the western and southwestern boundaries are well screened with views from the footpath into the site being limited.

Therefore the proposal is considered to comply with policy GB2A, GB7A and DBE4 of the adopted Local Plan (1998) and Alterations (2006) and paragraph 89 of the NPPF.

Character and Appearance

Paragraph 58 of The Framework states that development proposals should respond to local character, reflect the identity of their surroundings, and optimise the potential of sites to accommodate development. Local policies DBE1 and CP2 are broadly in accordance with the above, requiring that a new development should be satisfactorily located and is of a high standard in terms of its design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

The building has been traditionally designed to complement the surrounding locality incorporating local features and materials. The size and proportions are considered appropriate.

The Council's Conservation Officer has no objections in principle to the construction of a building on the site as additional outbuildings of a sympathetic appearance are not uncharacteristic additions within the settings of agricultural buildings. The revisions to the scheme including a reduction in overall size, and improvements to the design of the fenestration, as well as the use of traditional materials in keeping with the agricultural character of the barn, result in a building which is subservient to the listed barn and preserves its setting.

Therefore the proposal would comply with policies CP2, DBE1, HC6 and HC7 and HC12 of the adopted Local Plan (1998) and Alterations (2006) and paragraph 58 of the NPPF.

Living conditions of neighbouring occupiers

Due consideration in relation to the potential harm the development might cause to the amenities enjoyed by adjoining property occupiers have been taken into account.

Given the single storey form of the proposal and the orientation and the position of the proposal in relation to adjoining properties, it is considered that there would be no excessive harm to the living conditions of adjoining property occupiers in relation to loss of light, loss of privacy and visual blight.

The separation distance to adjoining dwellings along with screening on the boundaries would limit the potential to overlook into adjoining properties.

The proposal would comply with policies DBE2 and DBE9 of the adopted Local Plan (1998) and Alterations (2006)

Landscaping

The proposed outbuilding would be sited within a cluster of trees, and includes the removal of two of them (Ash and Maple) and relocation of four in order to accommodate the building. A tree survey has been submitted with the application.

The Council's Tree and Landscape Officer considers that the outbuilding can be accommodated without materially impacting on the setting and the loss of these two trees is acceptable however the relocation of the four others is not considered necessary. Therefore there are no objections to the proposal subject to conditions requiring a tree protection plan and details of hard and soft landscaping.

The proposal would comply with policies LL1, LL2 and LL10 of the adopted Local Plan (1998) and Alterations (2006)

Third party representations

The material planning considerations raised by the Town Council and Epping Society have been addressed in the body of the report above.

Conclusion:

The proposal is appropriate in terms of its design and appearance and it would not result in excessive harm to the openness of the green belt or to the amenities enjoyed by adjoining property occupiers. The proposal is in accordance with the policies contained within the Adopted Local Plan and the National Planning Policy Framework. It is therefore recommended by officers that planning 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:

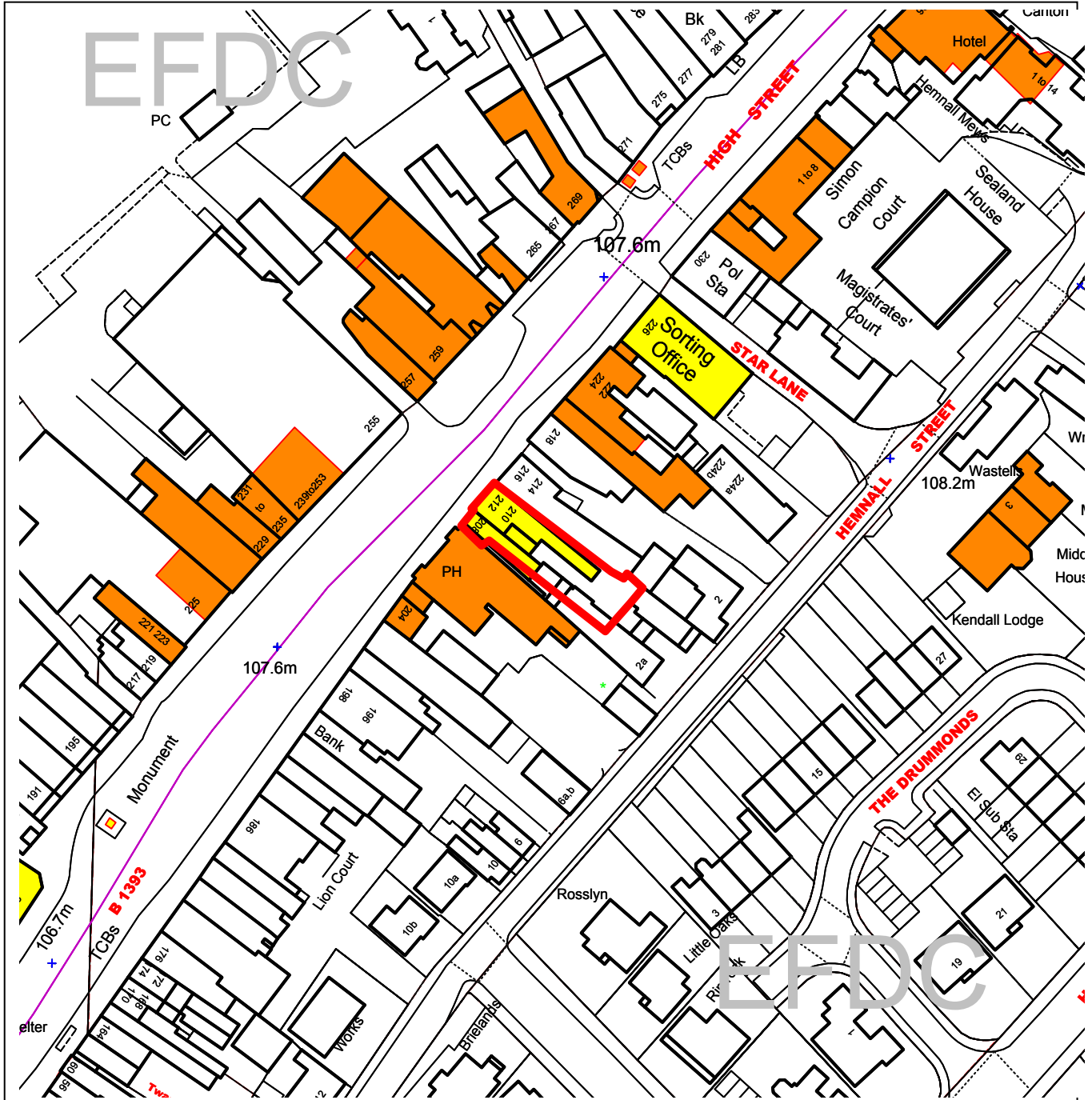
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/0851/15
Site Name:	Pizza Express, 208-212 High Street Epping, CM16 4AQ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0851/15
SITE ADDRESS:	Pizza Express 208-212 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Pizza Express (Restaurants) Ltd
DESCRIPTION OF PROPOSAL:	Advertisement consent for two externally illuminated projecting signs, and halo illuminated individual fascia lettering.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575055

CONDITIONS

- 1 The maximum luminance of the signs granted consent by this Notice shall not exceed 100 candelas per square metre.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1139/02 E

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:

Recently constructed restaurant building with flats above located within the conservation area of Epping in the historic town centre area. The ground floor is in use as a Pizza restaurant and the signage has already been installed

Description of Proposal:

The application is for the retention of two externally illuminated projecting signs and halo illuminated lettering. The scheme originally also included a halo illuminated blue strip feature to the fascia but this has since been removed from the drawings.

Relevant History:

EPF/1162/14 Installation of fascia sign and 2 no. projecting signs (internally illuminated) -Refused

EPF/2932/14 Application for consent to display illuminated fascia and projecting signage-
Withdrawn

The signage has been the subject of an enforcement investigation and original illumination levels have been reduced and the illuminated blue strip has been masked by tape while the application is considered.

SUMMARY OF REPRESENTATIONS

5 adjacent properties were consulted and a site notice was erected

TOWN COUNCIL-Committee Object to this application. Committee note the dimmed external lighting, but this application still includes two illuminated hanging signs contrary to policy DBE13 ii, which states that no more than one fascia and projecting sign will be permitted.

THE EPPING SOCIETY - Object. The above application has been considered by the committee of this Society and we wish to object to the proposal as submitted for the following reasons:-

We objected to the original application EPF/2932/14 on the 19th January 2015 stating our concerns regarding the proliferation of brightly lit signage. We noted a marked increase in the use of bright halo lighting and observed that a "lighting war" was breaking out as new businesses competed in the night time economy.

The additional projecting signs are not required. Fitting these along and the rest will be too dominating in the Conservation area. Suggest the use of a permanently significantly dimmed signage.

17 AMBLESIDE EPPING - That illuminated sign has been there for a long time. If Smiths Fish Shop's sign was not suitable for our High Street Pizza Express one is much, much worse and has got bigger impact on the look of the street. I don't think illuminated signs should be allowed on Epping High Street. Allowing one sign like that would result in all businesses having one and soon Epping High Street would lose its character. No one want showy, bright neon lights on High Street so I strongly oppose to the proposed signs and would like it to be removed as soon as possible.

17 AMBLESIDE EPPING - The new Pizza express sign is completely out of place and harms the understated character of Epping High Street. The glare could also be distracting to drivers. It seems amazing that permission for this sign could be given, considering the uphill struggle Smith's Fish and Chip shop is having with a comparatively modest sign change. Allowing one, let alone two externally illuminated projecting signs in Epping sets a precedent, are we soon to be bombarded by a Bangkok style high street as each restaurant/bar seeks to out do the other?

Policies Applied:

Epping Forest District Local Plan and Alterations
DBE13 – Advertisements

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

The NPPF

Issues and Considerations:

The only matters that can be taken into consideration in advertisement applications are visual amenity and public safety.

The signage is not considered to pose a threat to public safety.

With regard to visual amenity, the site is within the conservation area and it is important that signage is suitably designed to ensure that the character and visual amenity of the historic core of the town is maintained.

The signage previously considered under EPF/1162/14 was internally illuminated and of inappropriate materials and was refused for the following reason:

The proposed signage, by reason of the LED lighting and internal illumination would have an inappropriately modern contemporary appearance within the historic town centre and would adversely affect the character and visual amenity of the Conservation Area contrary to policy DBE13 of the adopted Local Plan.

The current externally illuminated and halo lit signage was subsequently installed without consent and illuminated by very bright lighting levels. Following Enforcement investigation the level of illumination was reduced by 50% and the blue line, which had the appearance of a neon strip due to the brightness of the lighting level, was masked by black tape to avoid enforcement action.

A further application for *internally* illuminated projecting signs and retention of the halo lit fascia lettering and blue strip was submitted (in error) and withdrawn following advice from the planning officer that it was most unlikely to be acceptable.

The two externally illuminated projecting signs are considered to be well proportioned and of suitable design and materials. The reduced level of illumination, since their original installation, is an improvement but they do still appear quite bright compared to other signage in the high street. The Town Council has raised objection to the introduction of two projecting signs for this one unit, which is strictly contrary to policy DBE13, however this shopfront is actually the width of three standard High Street shops in this area and the shopfront was purposely split into three distinct elements when the building was designed, in order to maintain the rhythm and character of the original High Street shops. As such, the introduction of two projecting signs set some 11 metres apart, on what is, visually 3 shopfronts is not considered excessive or harmful to the amenity of the area or contrary to the intention of clause (ii) of DBE 13 which states "The Council will not give advertisement consent for (ii) more than one fascia and projecting or hanging sign per shopfront." Subject therefore to a further reduction in the level of illumination, which can be controlled by condition the hanging signs are considered acceptable.

The individual lettering of the fascia sign is appropriate and although modern materials are used, as this is a modern shopfront, this is not considered grounds to refuse. Halo illumination is generally considered acceptable and again, subject to a condition restricting the level of brightness to below the current level, which still appears excessively bright, the fascia lettering is acceptable.

No other illumination is now proposed and the removal of the halo lit blue line element of the scheme, which had the appearance of neon signage, is a significant improvement .

Objections have been received comparing the signage here to that refused recently at Smiths Fish and Chip Shop. Each application is of course considered on its own merits, but for clarity the chip shop signage was refused not due to its illumination, but due to its excessive depth in relation to the depth of the original fascia. The Pizza express signage is in comparison suitably proportioned for the shopfront.

Conclusion

The proposed hanging signs and halo illuminated lettering is considered acceptable and recommended for approval subject to a condition restricting the level of illumination. .

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***

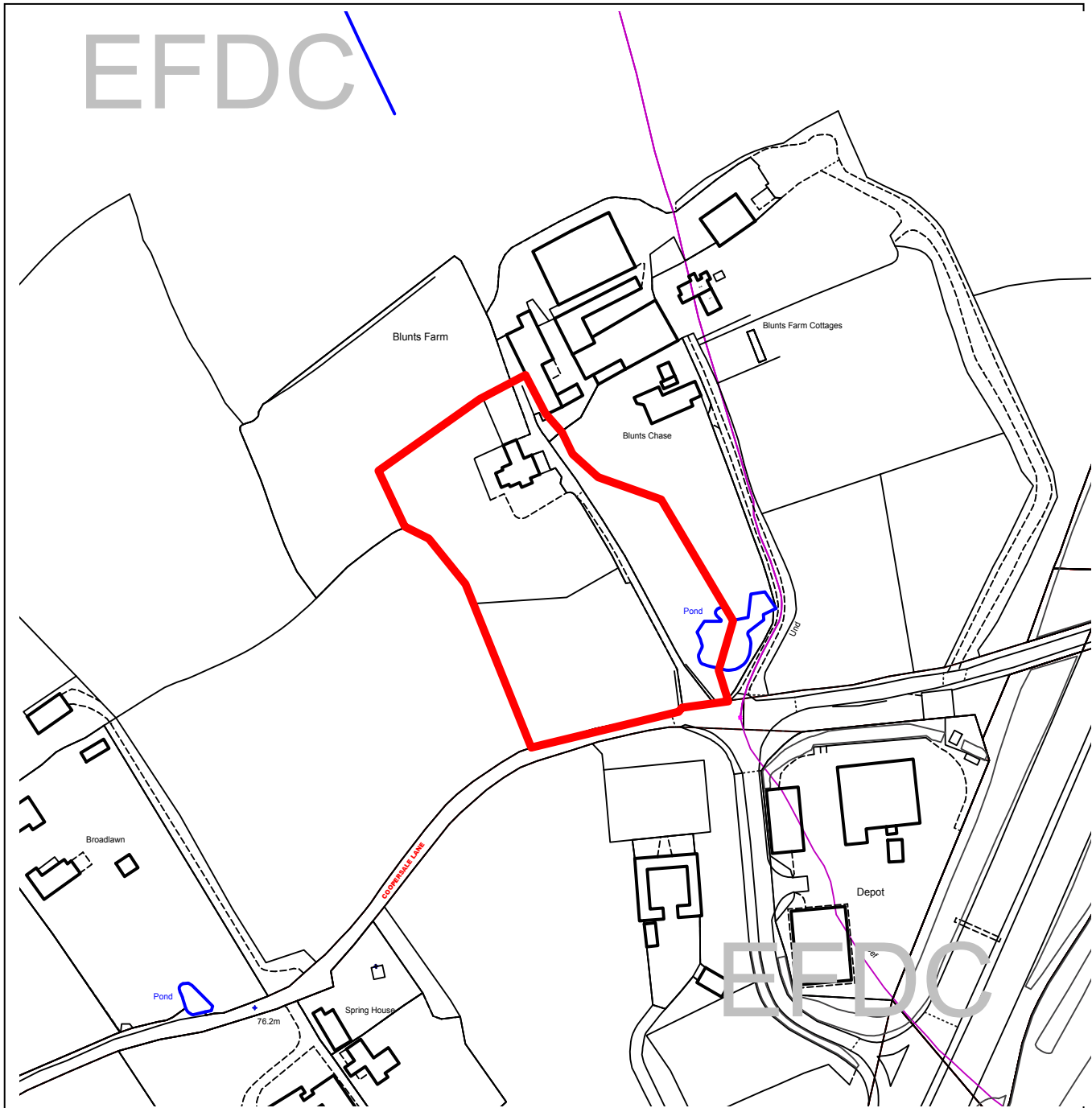
Or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/2898/14
Site Name:	Blunts Farm, Coopersale Lane Theydon Bois, CM16 7NT
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/2898/14
SITE ADDRESS:	Blunts Farm Coopersale Lane Theydon Bois Essex CM16 7NT
PARISH:	Theydon Bois
WARD:	
APPLICANT:	Mr Mark Swan
DESCRIPTION OF PROPOSAL:	Replacement dwelling house.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572094

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: FIM P2_01 rev B, FIM P2_02 rev B and FIM P2_03 rev B
- 3 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]
- 4 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]

- 5 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]
- 6 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.
- 7 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.
- 8 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.

- 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 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.
- 10 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.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargement or outbuildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 13 Other than that previously approved in writing by the Local Planning Authority, no external lighting shall be provided at the application site.
- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the integral garage that forms part of the dwellinghouse hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 15 The means of enclosure of the site boundaries, including any gates, shall only be in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 16 Works to construct the house hereby approved shall not be commenced until the existing house at the application site has been demolished in its entirety and all resulting waste material removed from the site and adjacent land identified as being in the Applicant's ownership.

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

Background:

This application was originally reported to the Area Plans East Sub-Committee on 13 May 2015 when it was decided to defer making a decision on the application in order to allow the site boundary to be revised following discussions between officers and the applicant's agent. It is now reported following a significant reduction in the size of the site and subsequent re-consultation on the revised proposal.

Description of Site:

The application site comprises land at the western edge of Blunts Farm and is accessed directly off Coopersale Lane by a private drive that also provides access to lower lying land and redundant agricultural buildings to the north of the site. The application shows the drive is within the applicant's ownership but is excluded from the application site.

The site comprises a house and its curtilage, the house being situated towards the north-east corner of the curtilage. The site location plan has been amended on a number of occasions since the application was first submitted, each time achieving a reduction in the proposed residential curtilage. The present proposal follows the decision of the Area Plans East Sub-Committee. The site is now 67m in length and 25m in width. On submission of the application the site measured 150m in length and 94m in width. As presented to the Sub-Committee in May the site measured 88m in length and 66m in width.

A grassed field last used as paddock together with land part of the curtilage of the existing house (as understood by Officers) separates the application site from Coopersale Lane. The house itself is predominantly two-storey with a single-storey northern projection and prior to its partial demolition had a volume of approximately 1200 cubic metres. It has a gabled roof, with a ridge height previously noted to be 8m. Its principal elevation faces to the south with a parking area in front of it.

The house is partially demolished in connection with the implementation of a previous consent, ref EPF/0386/08, to erect a replacement house. Work stopped before the house was substantially demolished and the approved house was not built.

The site is within the Green Belt and Coopersale Lane is identified as a protected lane on the proposals map of the Local Plan. There are three preserved trees on the western site boundary and one in the approximate centre of the site.

Description of Proposal:

It is proposed to erect a two-storey replacement house. In addition to a substantial reduction in the proposed curtilage of the house described above, the proposed house itself has been significantly reduced in size since the application was submitted.

The house would be sited on the footprint of the existing house but its principal elevation would face north with a parking area beyond it. The house would be of similar height to that it would replace and it would also have a gabled roof. The front elevation would contain a pair of bays with

hipped roofs over. The rear elevation (the elevation that would be that seen at a distance from Coopersale Lane) would contain a centrally positioned bay with a hipped roof. The rear elevation would have lower eaves such that the first floor would appear to be predominantly contained within the roof space.

The house would have a volume of 1036 cubic metres and a floor area of 281 square metres. Its ridge height would be 7.85m.

Relevant History:

Blunts Farm as a whole has considerable planning history, however, the only planning decisions relevant to the current application are as follows:

EPO/0152/64	Outline application for farmhouse	Approved
EPO//0152A/64	Details of farmhouse	Approved
EPF/1240/04	Removal of Agricultural tie	Approved
EPF/1594/05	Demolition of existing house and erection of replacement	Refused
EPF/1123/06	Demolition of existing house and erection of replacement	Withdrawn
EPF/1763/06	Demolition of existing house and erection of replacement	
	Refused, and subsequent appeal dismissed	
EPF/0386/08	Replacement dwelling.	Approved

Policies Applied:

CP2	Quality of Rural and Built Environment
CP3	New Development
GB4	Extensions of residential Curtilages
GB2A	Development in the Green Belt
GB15A	Replacement Dwellings
HC4	Protected Lanes, Commons and Village Greens
RP4	Contaminated Land
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
LL10	Adequacy of Provision for Landscape Retention
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted. 5

Site notice posted: Yes.

Responses received:

(Note, the responses reported are those to a re-consultation on the latest revised plans submitted after the 13 May Sub-Committee meeting when a decision on the application was deferred)

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: No objection

With respect to the size of the proposed residential curtilage, while the proposed is still larger than the original and also our suggested proposal at the committee meeting, we are of the opinion that

given the applicant's acceptance of a reduction in size that this is an acceptable compromise. We therefore have no further objections to this application.

Conditions requiring the provision of a 1m high post and rail boundary fence around the proposed curtilage and requiring demolition of the existing house prior to commencement of works on the proposed house are requested.

THEYDON BOIS ACTION GROUP: Objection

The curtilage of the proposed house has not been reduced sufficiently. It should be no larger than the curtilage of the existing house.

In the event of planning permission being granted conditions requiring the provision of a post and rail boundary fence around the proposed curtilage and requiring demolition of the existing house prior to commencement of works on the proposed house are requested.

THEYDON BOIS PARISH COUNCIL: No Objection - Conditions

We note the amended plans, and we would recommend the following conditions:

1. the whole residential curtilage should be defined by a post and rail fence no more than one metre high;
2. the upper field should be defined by continuation of the post and rail fence and the retention of such a fence by the field and paddock;
3. as per the 2012 approval the existing hardstanding should be removed prior to commencement of the new build.

We also reiterate removal of permitted development rights; retention of all post and rail fences; an appropriate landscaping scheme; removal of existing hard standing around the existing house before landscaping, and any lighting scheme to be low level.

Main Issues and Considerations:

The main issue raised by the proposal is its consequences for the Green Belt.

The application site is outside of Flood Risk zones 2 and 3 and the house itself is previously developed land. In terms of its design and appearance the proposal would be consistent with that of other houses in the locality. The degree to which it is set back from Coopersale Lane together with the fact that the house would be in the same position as the existing house will ensure there is no adverse consequence for the heritage value of Coopersale Lane. In terms of access and off-street parking, the proposal complies with adopted standards and would cause no harm to the interests of highway safety. Standard conditions can be used to properly safeguard preserved trees on the site and potential for the development to be affected by land contamination.

Consequences for the Green Belt

Planning policy relating to the Green Belt makes clear that the erection of replacement buildings are not inappropriate development provided the new building is in the same use and is not materially larger than the one it replaces.

In this case the new building would be used as a dwellinghouse and it would replace a dwellinghouse. Furthermore, the new building would have a 150mm lower ridge height than the existing building and achieve a reduction in built volume of some 160 cubic metres. On those facts, therefore, the proposal would demonstrably be smaller than the house to be replaced and the new building would be used for the same purpose as the existing building.

Responses to consultation exercises carried out on the proposal and indeed the Area Plans East Sub-Committee raise the question of whether the proposed house would have a materially larger garden than the existing house, making reference to criterion (iii) of Local Plan and Alterations Policy GB15A. Policy GB15A states the replacement of existing dwellings in the Green Belt may be permitted where, amongst other things, the proposal would not result in the size of private garden of the replacement house exceeding that which it replaces.

The responders to the consultation exercise maintain the curtilage of the existing house is smaller than that presently proposed. The area of land of that is disputed is that south of the parking area for the existing house; a depth of 10m across the width of the site. In addition, some of the land west of the house, a 5m wide strip, is also disputed.

It is appropriate to consider that dispute in context of a previous planning consent for the erection of a replacement house, ref EPF/0386/08. The presently proposed curtilage is significantly smaller than that shown in the approved plans for a replacement house under planning permission ref EPF/0386/08. That approved curtilage is the same as that originally proposed on submission of the current application. Although work on implementing planning permission EPF/0386/08 has ceased, it remains a material consideration of significant weight since Local Plan policy relating to the Green Belt is unchanged and consistent with the national Planning Policy Framework. In that context, the presently proposed curtilage is a vast reduction in the previously approved curtilage.

The presently proposed curtilage is also significantly smaller than the curtilage of the existing house as understood by Officers. Officers understanding of the curtilage of the existing house is that put to Members at the 13 May meeting of the Sub-Committee. However, since the Sub-Committee clearly sought a substantial reduction in that curtilage the question of what the curtilage of the existing house actually is has become less important. The matter of importance now is whether Members expectations have been met. Clearly, a very significant reduction in curtilage has been delivered and it is for Members to decide whether they find the proposed curtilage acceptable.

When assessed against Local Plan policy, it is concluded the proposal would either achieve a very significant reduction in residential curtilage or would not result in a disproportionately large curtilage. If the former position is supported by Members, then the matter of curtilage complies with policy GB15A. If Members prefer the latter position then the matter of curtilage complies with policy GB4 relating to the enlargement of residential curtilages.

On the basis of the above analysis, the proposal is considered to not be inappropriate development in the Green Belt.

Conclusion:

The proposal is not inappropriate development in the Green Belt. It would not have a materially greater impact on openness than the house it would replace and it is acceptable in all other respects. It is therefore concluded that the proposal complies with relevant planning policy and it is recommended that planning permission be granted subject to necessary 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:

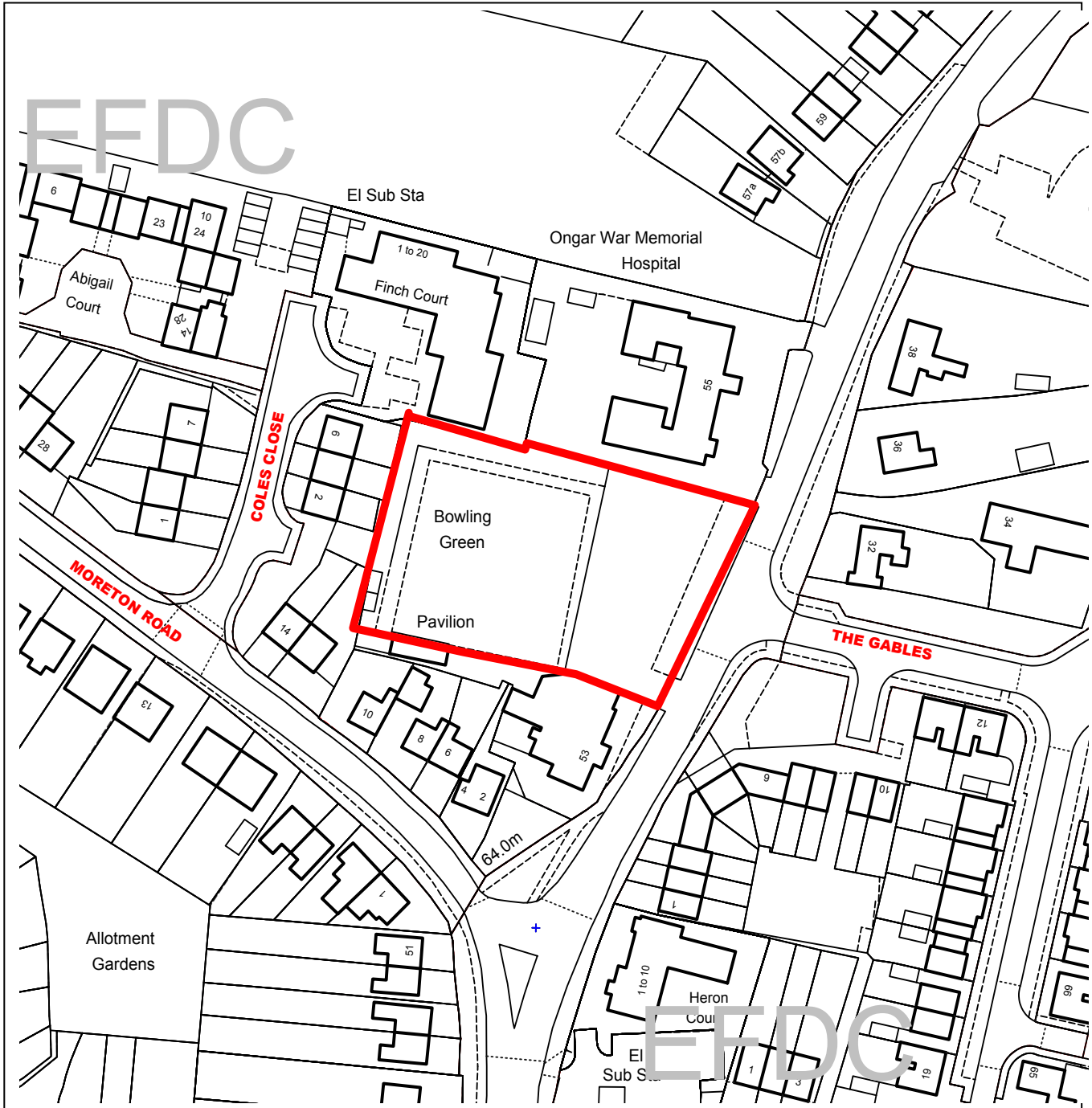
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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



Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/0538/15
Site Name:	Smiths Brasserie and former bowls green, Fyfield Road, Ongar, CM5 0AL
Scale of Plot:	1:1250

Report Item No: 6

APPLICATION No:	EPF/0538/15
SITE ADDRESS:	Smiths Brasserie and site of former bowls green at the rear. Fyfield Road Ongar Essex CM5 0AL
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Bluesky Investments Limited
DESCRIPTION OF PROPOSAL:	Erection of a 3 storey block of 14 flats facing Fyfield Road on the site of the existing Smiths restaurant car park, provision of 22 car spaces for the new flats at the rear, together with the provision of a new 34 space car park at the rear for Smiths restaurant.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574233

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: 263/P/001B; 263/P/003A; 263/P/002B.
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 No development shall take place until details of the landscaping of the site, including retention of trees and other natural features and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.
- 5 Details of all boundary fences or enclosures, whether to be retained or proposed, together with details of new planting close to the boundaries of the site, shall be submitted to and approved by the local planning authority before any works commence on site. Once approved these details shall be implemented in full.

- 6 Prior to first occupation of the development, the access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 4.3 metres in either direction, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction in perpetuity.
- 7 Prior to first occupation of the development, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.
- 8 Prior to first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 9 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision – per dwelling - and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 10 There shall be no discharge of surface water onto the Highway.
- 11 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 12 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 13 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.
- 14 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 major development of significant scale and/or wider concern and is recommended for approval, and also because objections to it have been received from a) the town council and b) from more than 3 neighbours (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(c)(g) and (f).

Description of Site:

The site comprises the existing Smiths restaurant car park which lies immediately north of the restaurant close to Fyfield Road, plus the site of the redundant bowls green which lies to the rear

of this car park. The new Ongar medical centre building lies to the north. The site is located in the urban settlement of Ongar but it does not lie in a conservation area.

Description of Proposal:

Erection of a 3 storey block of 14 two bedroom flats facing Fyfield Road on the site of the existing Smiths restaurant car park, provision of 22 car spaces for the new flats at the rear, together with the provision of a new 34 space car at the rear for the Smiths restaurant.

Relevant History:

EPF/399/01 -planning permission refused – but then granted on appeal – for the change of use of the bowling green for the provision of 3 single storey dwellings, and an extension to the restaurant car park.

EPF/604/05 approval granted for the renewal of the above permission EPF/399/01.

EPF/760/05 outline planning permission granted for the redevelopment of Smiths restaurant and its car park for the erection of 20 flats and associated 25 car spaces.

EPF/1445/08 – permission granted for the approval of reserved matters relating to the above outline approval EPF/760/05.

Policies Applied:

CP3 – New development
CP6 – Achieving sustainable urban development patterns
CP7 – Urban form and quality
H3A – Housing density.
DBE9 – Loss of amenity
DBE1 - Design of new buildings.
LL10 – Adequacy of provision for landscape retention.
ST4 – Road Safety
ST6 - Vehicle parking

The National Planning Policy Framework (NPPF).

Summary of Representations:

ONGAR TOWN COUNCIL – object – 1) the development occupies too large a footprint for the location and poses a threat of intrusion to neighbours resident in the adjacent sheltered housing block. 2) There is inadequate provision for car parking – in a location where the customer car parking for Smiths Brasseries is often over- subscribed and where the only accessible alternative car parking is a the Leisure Centre car park opposite. The proposal reduces the number of customer parking spaces and provides minimal provision for the occupants of the proposed flats and their visitors. This is untenable at a site where the only alternative parking is either already overused or may (in the case of the Leisure centre) be subject to controlled access by its owners at any time in the future.

NEIGHBOURS – 50 properties consulted and 3 replies received:-

4, COLES CLOSE - object - we currently have parking in our road from people going to the restaurant – this will get worse if this goes ahead. Our bungalow will back onto the proposed flats – we do not want them built as we will have no privacy in our bedroom, no sunlight, and there will be an increase in noise.

36, FYFIELD ROAD – object – the restaurant currently has 35 car spaces – but it can provide 120 covers, plus an upstairs bar. Even now there is insufficient parking and consequently some customers park on double yellow lines and in grass verges in Fyfield Road, outside houses in The Gables, and down Moreton Road, and also in the Sports centre car park – which is also used by patients attending the medical centre. 18 car spaces for the 14 flats is conservative for Ongar. Access to the proposed new Academy will increase traffic flows, and access/exit from the Gables, already difficult, will worsen. There are a large number of accesses close to each other – The Gables, Smiths, the proposed flats, Medical Centre, and pedestrian crossing – all contribute to a hazardous stretch of road. Currently we find it difficult to get off our driveways. Noise is caused from restaurant customers – from car engines, laughing and saying goodbye – this is not too much of a problem to us – but the elderly people of Finch Court would not be so lucky and would have the restaurant car park now located on top of them. The proposed flats are a 3 storey monstrosity.

46, THE GABLES (250m from the site) - object – this proposal comes on top of exceptional traffic and access issues arising from the Ongar Medical centre, new Ongar Academy, and proposed development of Fyfield Business Park. Residents of The Gables are already plagued by parking problems because the Smiths car park is too small – hence parking restrictions have been imposed which are only partly effective since there is still some parking by restaurant customers on grass verges.

ESSEX COUNTY COUNCIL HIGHWAYS – From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority - subject to conditions regarding visibility splays for the new access for the flats, use of unbound material in the first 6m of the new access, marking out of the car spaces, no water discharge onto the highway, minimum width of first 6m of the access, and any gates to open inwards.

EFDC LAND DRAINAGE SECTION – No objection - the site does not lie in a flood risk assessment zone but is of a size where a flood risk assessment is required and hence standard condition 86A is required.

EFDC CONTAMINATED LAND OFFICER – No objections - the history of this site does not require regulation of land contamination.

EFDC AREA WASTE MANAGEMENT OFFICER – no objections to the revised plans.

Issues and Considerations:

Revisions to the Scheme

Since the application was first submitted some changes to the proposal have been made. Firstly, the parking area for the restaurant initially occupied the west part of the site and extended along the length of the western boundary of the site with the rear of residential properties facing Coles Green. However this arrangement could have provided more potential for disturbance from movement of cars belonging to restaurant customers. To this end the car park has been re configured so that with the car park for the flats, and not the restaurant, now adjoins the boundary with most of the Coles Green properties, including the old peoples accommodation in Finch Court. Secondly, the initial provision of 18 car spaces for the proposed 14 flats has been increased to 22 spaces. Thirdly, changes have been made to the facilities for storage of waste in line with the requirements of the Councils waste management officers.

Comparison with previously approved schemes on the site.

The 2001 consent allowed on appeal (and renewed in 2005) proposed 3 bungalow style dwellings on the former bowling green – these gave rise to some amenity issues in this more backland

position, and left an extended restaurant car park in its current location next to the Fyfield road . The current proposal however provides a residential block on the street frontage that better addresses the Fyfield Road street scene, with parking being provided to the rear.

The 20 flats scheme allowed in outline form in 2005, with reserved matters subsequently approved in 2008, included the redevelopment of Smiths restaurant as well as its car park. Although some feel that this restaurant can give rise to parking and disturbance issues it clearly is a successful business that provides many local jobs. On balance it can be argued that its retention in the current application is beneficial to the wider community.

Parking issues

With regard to residential developments, the Essex CC standards require one space per one bedroom unit and two spaces per unit with 2 or more bedrooms. This provision can be reduced in urban areas that have good public transport, cycling and walking links, and where access to education, healthcare, food shopping and employment is available. All the 14 flat proposed in this scheme are 2 bedroom units with the second bedroom being a small bedroom for one person ie the maximum occupancy will be 3 people per flat. Nevertheless, the starting point for provision of car spaces would be a requirement for 28 spaces whereas 22 are proposed. However, bearing in mind the flats are small non family ones it is unlikely that each of the flats would be occupied by residents with 2 cars. In addition the site is located within walking distance of Ongar town centre, and lies close to a small local supermarket, a leisure centre, and medical centre. If there is concern that 22 spaces would not adequately cater for visitors to the new flats then the very extensive public car park to the Ongar Leisure centre on the opposite side of the road is available for use. In these circumstances it is considered that the provision of 22 spaces for these 14 flats (at 1.6 spaces per unit) is an appropriate provision. By way of comparison a scheme for a new block of 6 flats (two 1 bed and 4 2 bed flats) on the site of a bungalow at Highfield, just south of the Great Stony Arts Centre, was approved late last year with 8 car spaces provided, - a slightly lower pro rata provision to that proposed in this current application.

With regard to the relocated restaurant car park 34 spaces are proposed – the same number as contained in the existing car park. For most of the week this provision is more than adequate but on two to three times a week the restaurant is very busy with a full car park. Again the Leisure Centre car park provides a convenient place for customers to park if the restaurant car park is full, and it is to be regretted if cars are sometimes parked in front of nearby residents' houses. The restaurant owners are well aware of this issue and point out that the provision of yellow line restrictions has reduced the incidence of poor or unsocial car parking. For these reasons, and the fact that the same number of car spaces are being provided as currently exists, it would be unreasonable to reject this proposal on grounds of insufficient car parking for the restaurant. In addition the adopted car parking standards for restaurants are *maximum* standards designed to discourage people from using their cars for this kind of trip, so there is no minimum requirement. There would not therefore be grounds to refuse on lack of parking for the restaurant.

Along the western boundary with residential properties lies an existing high close boarded boundary fence in excess of 2m. The proposed car spaces will not abut this boundary – rather there will be a minimum of a 2.4m wide planting strip into which trees will be planted to partly screen the parking areas, and to assist in reducing any noise nuisance from car engines. Precise details of these issues will be covered by a condition to be attached to any approval. Bearing in mind that the 3 closest dwellings in Coles Green, together with the old persons home, will now lie close to the parking for the flats, and not the restaurant, the proposed parking areas will not cause a significant loss of amenity to nearby residents.

Design and Appearance

The proposed block will be 3 stories with a pitched roof over. The block will have a varied alignment at the front and the use of projecting bays with gable roofs over will add further variety to its appearance. Brickwork, render and stone cills will be used on external surfaces details of which will be subject to a condition. Overall the appearance of the block is acceptable, and as stated above this block will improve the appearance of the site when compared to the existing open restaurant car park.

Comments on representations received:-

Some of the concerns of the Town Council and 3 neighbours who made comments have been addressed in the paragraphs above. The Town Council is concerned that the large footprint of the block of flats will intrude on the nearby sheltered housing at Finch Court. However this old persons accommodation lies a minimum of 16m away from the proposed flats and in a more northerly alignment, and hence the proposed flats will have a limited impact on the amenity and outlook of this old persons accommodation. Indeed arguably the new medical centre had more impact on Finch Court than the current proposal.

Similarly, the proposed block is 26m away from the boundary of the site with the rear gardens of 3 bungalows in Coles Green. This significant distance will ensure there is no loss of privacy or sunlight to these bungalows.

Conclusions:

The proposal provides 14 much need flats for small households, and it makes good use of a long redundant bowling club site. For these reasons, and others set out in this report, it is recommended that conditional planning permission be granted.

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

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

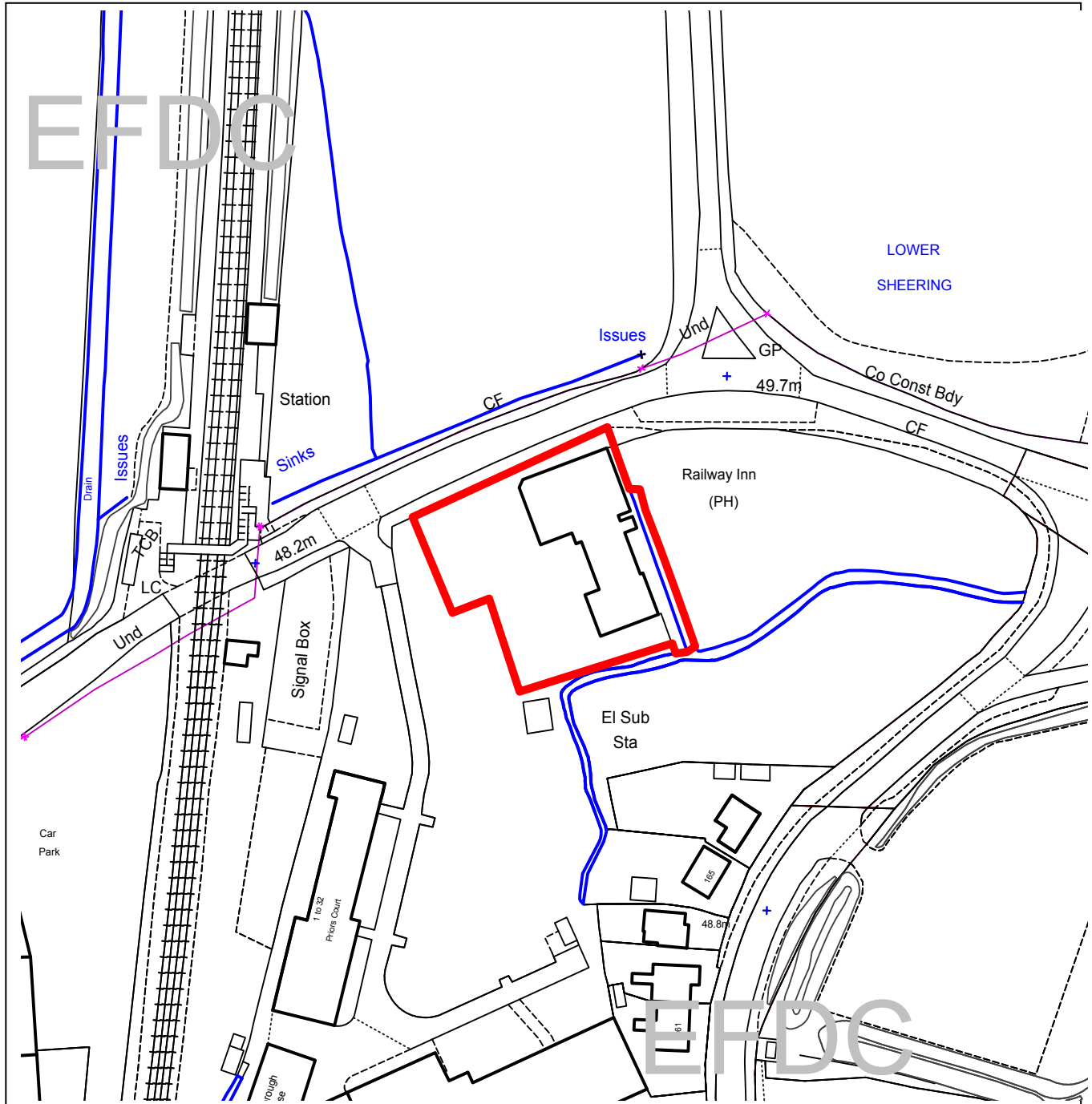
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 7



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Application Number:	EPF/0864/15
Site Name:	The Railway Hotel, Station Road Sheering, CM21 9LD
Scale of Plot:	1:1250

Report Item No: 7

APPLICATION No:	EPF/0864/15
SITE ADDRESS:	The Railway Hotel Station Road Sheering Harlow CM21 9LD
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Mr Steven Lindsell
DESCRIPTION OF PROPOSAL:	The change of use and adaption of the existing public house and associated hotel accommodation for residential use in addition to the provision of two new buildings to provide a total on site provision of two dwellings and twelve flats with associated parking and amenity areas.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575117

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: 2668-1, 2668-2, 2668-3, 2668-4c, 2668-5b, 2668-6a, 2668-7a, 2668-8a, 2668-9a, 2668-10a, 2668-11a
- 3 No development shall have taken place until samples of the types and colours of the external finishes, including doors and windows, have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 No development shall take place 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.
- 5 Prior to the occupation of the development hereby approved, two bat boxes and two bird boxes shall be installed/constructed on site in accordance with details submitted and approved in writing by the Local Planning Authority.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 9 There shall be no discharge of surface water onto the Highway.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 12 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.
- 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 Services – Delegation of Council functions, Schedule 1, Appendix A.(d))

Description of Site:

The application site currently consists of a public house and associated hotel located on the northern outskirts of Lower Sheering close to the District boundary. Whilst within Lower Sheering the site is located in close proximity to Sawbridgeworth and almost immediately adjacent to Sawbridgeworth Train Station.

The proposed site is within Lower Sheering Conservation Area and the setting of a group of listed buildings called the Maltings, a mid 19th century complex now converted to flats and commercial sites. The south block of the Maltings, located at the east of the railway, is a large 6 storey red brick block with blue brick bands and roofed with slate. This block is highly visible from the proposal site. The above elements attest to the heritage significance of the site and its setting.

Historic maps suggest that the Railway Inn dates from the mid-19th century and this building is of some interest within the conservation area given its obvious historic link with the railway line and Sawbridgeworth station. However the building has been much altered and has had substantial additions and extensions to the rear, along with unsympathetic alterations to the original elevations, including the insertion of uPVC windows.

The site falls outside of the designated Green Belt and does not lie within any flood risk areas.

Description of Proposal:

Consent is being sought for the change of use and adaptation of the existing public house and associated hotel accommodation for residential use and the erection of two new residential buildings. The proposed redevelopment of the site would provide two no. 3 bed dwellinghouses within the original public house and twelve no. 2 bed flats within the converted hotel and two new buildings.

The conversion of the public house (Building 1) and hotel (Building 4) would involve the removal of the unsightly previous additions and the enhancement of the existing dwelling through sympathetic elevation changes and the replacement of unsympathetic elements (such as uPVC windows) with more traditional materials.

The proposed new buildings would consist of a four storey 'Maltings' type brick building located to the rear of the site (Building 3) adjoining the retained hotel building and a three storey 'Maltings' type building (Building 2) located along the road frontage.

The new building to the rear of the site (Building 3) would measure 16.9m in width and 10m in depth with an additional 5.2m x 4.9m projecting front stairwell/lobby. It would be linked to Building 4 and would have a partially hipped pitched roof to a ridge height of 11.8m and would be finished in red stock brick with a natural slate roof. This building would feature two metal and glass tiered projecting balcony structures to the rear and the fourth floor (within the roof slope) would be served by two rear dormer windows, two small gable windows, and four front rooflights.

The new building to the front of the site (Building 2) would measure 20.5m in width and 8.1m in depth at first floor level and would provide six covered parking bays on the ground floor (along with a secure bike store and entrance lobby) with two duplex flats above. It would have a hipped roof to a ridge height of 9.3m and eaves height of 5.6m and would be finished in red stock brick on the ground floor with a jettied black stained weatherboarded first floor and natural slate roof. The accommodation within the roof area would be served by four small rear rooflights and a single large inset rooflight in each flank roof slope.

The development also proposes the erection of a 4.5m x 4.5m bin store that would have a pyramid roof to a height of 4.1m, and nineteen off-street parking spaces (including the six covered spaces). The new development would utilise the existing vehicle access onto Station Road.

Relevant History:

EPF/0841/84 - Bar annexe/family room – approved/conditions 31/08/84

EPF/1337/98 - Erection of side extension to public house and two storey rear extension to provide hotel accommodation – refused 20/08/99 (appeal dismissed 16/06/00)

EPF/0605/01 - Erection of two storey 12 bed hotel extension and rebuilding of side extension together with alterations to car park – approved/conditions 31/10/01

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

140 neighbouring properties were consulted and a Site Notice was displayed on 26/05/15.

PARISH COUNCIL – Concerns raised included the ‘loss of an amenity’ particularly that of a Polling Station.

CAMRA – Object as this would result in the closure of the only public house in Lower Sheering. Keeping the railway tavern as a public house provides an important social facility for the community and improves their social wellbeing.

167 SHEERING LOWER ROAD – Concerned about flood risk, highway safety, and regarding overlooking and possible noise nuisance.

Main Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, the loss of the existing use, amenity considerations, design and impact on the conservation area, and regarding highway and parking concerns.

Suitability of site:

The application site is located within the village envelope of Lower Sheering which is located on the outskirts of the substantial town of Sawbridgeworth. Given that 92.4% of the District is designated Green Belt the principle of further development within existing settlements outside of the Green Belt such as this are usually considered to be preferable and appropriate.

The application site is located almost immediately adjacent to Sawbridgeworth Station and is a very close distance to the main town of Sawbridgeworth and as such is considered to be a sustainable location. The ‘golden thread’ that runs through the National Planning Policy Framework in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of further development within the type of location is considered to accord with this presumption and therefore this should be afforded significant weight. Furthermore, given the existing use of the site the proposed development would constitute the reuse of previously developed land. Both the National Planning Policy Framework and Local Plan policy H2A encourage the reuse and intensification of use of such sites.

The site is located on the northern outskirts of Lower Sheering, which is a relatively densely built-up predominantly residential settlement. In particular the nearby former Maltings buildings located on the eastern side of the railway line (to the south of the site) now consist of large blocks of high density flats. The erection of fourteen residential units on this 0.184 hectare site equates to 76 dwellings per hectare, which is higher than the recommended 30-50 dwellings per hectare as laid out in policy H3A however would be in character with the densely developed former Maltings building to the south of the site and would make the most efficient use of this sustainable location. As such the proposed development is considered to be acceptable in principle.

Loss of existing use:

The current use of the site is as a Public House and associated hotel. An objection has been received from the Campaign for Real Ale (CAMRA) due to the loss of the public house and highlighting that the closure of The Railway Inn would result in the loss of the last pub within the village of Lower Sheering. Whilst there has been no objection to the application from the Parish Council they have stated that there were “*concerns raised included the ‘loss of an amenity’ particularly that of a Polling Station*” (the Railway Inn allows for a polling station to be set up within the building for election purposes).

In addition to the above concerns/objection, the Council is currently considering an application to designate the Railway Inn as an Asset of Community Value (ACV). Whilst no decision had been made on this at the time of writing this report a decision should have been made by the date of Committee and any such decision will be verbally reported to Members. Although there has been no decision made it appears likely that the site may be designated as an ACV.

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

If a site has an ACV designation then this can be a material planning consideration for an application to change the use of the site, however ACV status does not prevent a planning permission being granted, nor would the grant of a planning permission override the nominating body's right to bid. In a reported planning decision in Farnborough, Rushmoor Borough Council granted planning permission for the conversion of a historic public house to a McDonald's drive through restaurant despite the building having been listed as an ACV on the basis of the conclusion that limited weight should be applied to the ACV designation in determining the application as it did not appear that there was an immediate prospect of the community buying the property. Conversely, Wiltshire Council refused consent for the conversion of a public house that had been designated an ACV in June 2013 to a single dwelling on the basis that the proposal would result in the detrimental loss of a local service with a realistic prospect of community use.

The proposed development has been submitted with a viability study with regards to the loss of the public house and hotel. Within this document it is highlighted that there has been a general decline in the use of 'local pubs' due to:

- a) *Increased regulation – including the introduction of the smoking ban*
- b) *Cultural changes – particularly a shift to drinking more wine and drinking at home*
- c) *Increased duty and VAT*
- d) *Falling real wages and disposable income*

In respect of this site, it is stated within the viability study that whilst the population of Sawbridgeworth has increased in the last few years there has been a shift toward it becoming a 'dormitory' town where many residents work in London and only return late at night to sleep. It also states that "*in the last two year, two other pubs in Sawbridgeworth have already closed – The Market House and the Good Intent*" and despite this there has been no substantial increase in trade. The bar income for the site for the last 3 years has been:

- 2012 - £193,323
- 2013 - £154,987
- 2014 - £161,146

In addition to the above, the restaurant sales have dramatically decreased as follows:

- 2012 - £23,656
- 2013 - £19,906
- 2014 - £15,129

In 2004 the associated hotel was added to the existing Public House in response to a growing demand for hotel rooms servicing Stansted Airport along with Sawbridgeworth generally, and it was expected that demand would further increase with the (then) planned additional runway at Stansted Airport. Whilst in April 2008 a Planning Application was submitted to increase the

capacity of the airport a full review of airport provision was subsequently undertaken and in December 2013 the previously considered Stansted expansion was excluded from the wider review and, as a consequence, no second runway was to be added.

There are currently 1,541 rooms within a five mile radius of Stansted Airport, with a further 329 rooms granted by Uttlesford District Council in November 2014. The application site is outside of this five mile radius, however a fifteen mile radius, including B&B provision, raises the above number to an estimated 4,000 rooms. The removal of the prospective business that would have resulted from the Stansted expansion and the ability for larger hotels located around Stansted Airport to offer discount room rates has seriously impacted on the viability of the Railway Hotel.

In addition to the above, the Stansted Express train, which stops at Sawbridgeworth, used to stop frequently and allowed for a journey time of 17 minutes from the hotel to the airport. However these trains now only stop at Sawbridgeworth once per hour and using other trains to reach Stansted Airport can take as long as 40 minutes. This further impacts on the desirability of the Railway Hotel as a stop for those using Stansted Airport.

There are two substantial high quality hotels located within Sawbridgeworth, The Manor of Groves and Down Hall House, as well as a number of smaller establishments. These hotels are able to offer more competitively priced rooms than the application site and absorb all corporate demand emanating from Sawbridgeworth and Harlow.

Due to the above the accommodation income from the associated hotel on the site are as follows:

- 2012 - £74,147
- 2013 - £56,900
- 2014 - £65,879

Whilst last year saw some increase in sales over 2013 (namely in bar sales and accommodation), overall the income has dropped from £291,126 in 2012 to £242,154 in 2014. Furthermore there is an outstanding loan that was taken out to fund the construction of the hotel element. In the eighteen months leading up to the production of the viability study it is stated that "*the Railway Hotel has not been able to meet its loan repayment commitments*", and due to this loan essential repairs and renovations have not been able to be undertaken, which results in the dilapidation of the Public House. As a result of this the value of the premises has dropped from £1,000,000 in September 2013 to approximately £550,000 in March 2015.

Despite the application to register this site as an ACV there has been no objection to the development from any neighbouring residents despite the wide consultation or current patrons of the Public House, nor any actual objection from the Parish Council. The only concern about the loss of the Public House is from CAMRA, who tend to object to such proposals on principle due to the general decline in Public Houses nationwide.

Whilst there are no other Public Houses located within Lower Sheering there are several within walking distance in Sawbridgeworth, including The Old Bell Inn, The Goose Fat & Garlic, The Queens Head, King William IV, The White Lion, The Gate, and The Bull. Due to this it is not considered that the loss of this Public House/Hotel, which is clearly in decline, would be unduly detrimental to the community.

Amenity considerations:

The application site is located a significant distance from any neighbouring properties. The closest neighbouring boundary to the south, that belonging to No. 167 Sheering Lower Road, is located some 23m from the application site boundary and the rear wall of the proposed new flats would be approximately 28m from this neighbour's boundary and over 40m from the dwelling and is divided

by an area of treed land that offers significant screening between the two sites. As such it is not considered that there would be any loss of amenity to this neighbour, or any other residential dwelling along Lower Sheering Road.

The closest of the former Maltings buildings that are now residential flats are located over 35m from the closest of the new buildings and are equally well screened by existing landscaping located outside of the applicants ownership. As such there would be no detrimental impact on the residents of the Maltings buildings as a result of these works.

The proposed two dwellings formed in Building 1 would each benefit from rear gardens amenity space measuring 55-58m². The proposed ground floor flats would each have private gardens located to the rear of each units and the upper storey flats in Buildings 3 and 4 would all benefit from balconies. The two units within Building 2 would each have a second floor balcony located within the inset sections of the side roof. There would also be some small landscaped communal areas located throughout the site. Given the densely developed nature of the site, its location close to the railway station, and the proximity of large areas of public open land, it is considered that the level of amenity space proposed is sufficient.

Design:

The retention of the existing Public House and associated Hotel building would be beneficial to the conservation area since it would retain these heritage assets, and the proposed works to these buildings, which involves the removal of the unsightly previous additions and the enhancement of the existing dwelling through sympathetic elevation changes and the replacement of unsympathetic elements (such as uPVC windows) with more traditional materials, would improve the overall appearance and setting of these buildings.

Given the proximity of the large former Maltings buildings to the southwest of the site the proposed new buildings have been designed to replicate traditional Maltings buildings. The details and proposed materials, along with the retention of Buildings 1 and 4, would ensure a good integration of the proposed scheme with the wider conservation area.

The proposed development has been laid out to ensure that the car parking is located within the centre of the site and therefore is overlooked, however would be suitably screened so as not to dominate the street scene. Areas of landscaping are proposed throughout the site, including a small strip along the road frontage adjacent to Building 2. This would help to soften the proposed development and would improve the character of the site, which is currently mainly laid to hardstanding and rather stark in appearance.

There are no trees located within the application site however there are a number to the south and west close to the site boundary. These trees appear to have been largely unmanaged for a number of years. The proposed development would encroach into the calculated 'root protection area' of some of the trees however, given that the site is currently laid to hardstanding and primarily used as a car park, it is likely that there would be less root growth in these areas due to inhospitable conditions. As such it is considered that the proposed development could be undertaken without undue harm to or loss of the existing trees.

Highways and parking issues:

The proposed development would be accessed by way of the existing access onto Station Road. Given the existing use of the site as a Public House/restaurant and associated hotel it is not considered that the redevelopment of the site to provide fourteen residents units would result in significant additional vehicle movements (although the peak times would differ). As such the proposed development would not be harmful to the free flow of traffic on Station Road (which is

heavily affected by the railway crossing) or highway safety concerns. Due to this the Essex County Council Highways Officer has raised no objection to the application, subject to suitable conditions.

The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units plus 0.25 visitor parking spaces per dwelling. Therefore there is a requirement for a total of 32 off-street parking spaces to serve the proposed residential scheme. Whilst the development only proposes 19 off-street parking spaces the Vehicle Parking Standards states that *“a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities”*. Given the extremely close proximity of the application site to Sawbridgeworth Station, and the local facilities available within walking distance in Sawbridgeworth, it is considered that 1.35 off-street parking spaces per unit is acceptable in this instance.

Other considerations:

Refuse:

In order to meet the Council’s waste requirements the proposed development would need to provide:

- 2 x 1100 litre refuse containers
- 2 x 1100 litre recycling containers
- 2 x 180 litre food containers
- 1 x 340 litre glass container

The site layout drawing shows the size and location of the proposed bin store, which exceeds the necessary requirements regarding the number and size of bins. The bin store is located within 25m of the waste collection point and within 30m of each block entry point, as required by Approved Document H6 of the Building Regulations. Should the refuse collection lorry choose to reverse into the site and then leave in forward gear they can approach to within approximately 10m of the rear of the bin store.

Education:

Essex County Council Infrastructure Planning were consulted on this application and an officer responded stating that *“I have reviewed the current data available and can confirm we will not be requiring a S106 education contribution on this occasion”*.

Affordable housing:

Since the application site is located on the edge of Sawbridgeworth, which has a population well above 3,000, the proposal falls under H6A (i), which relates to *“settlements with a population is greater than 3,000”*. In such locations affordable housing provision is only required on sites of 0.5 hectares or above or where 15 or more dwellings are proposed. Since the application site is less than 0.2 hectares in size and only 14 residential units are proposed there is no requirement to provide for affordable housing on this site.

Flooding:

Concern has been raised by a nearby neighbour with regards to the possible flood risk as a result of the development, however the application site does not lie within either an Environment Agency Floodzone 2 or 3 or an EFDC flood risk assessment zone. Nonetheless the development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. Therefore a flood risk assessment is required,

however can be dealt with by condition. Furthermore details of foul and surface water drainage are required, which can also be controlled by condition.

Ecology:

An ecological appraisal has been submitted with the application and, based on the surveys, no objection has been raised by the Council's ecologist subject to the installation/construction of two bat boxes and two bird boxes, the details of which can be agreed by condition.

Contamination:

Due to the former use of the site as a petrol filling station and garage, and the presence of an industrial waste landfill site 13m uphill to the north, there is the potential for contaminants to be present on the site. As domestic dwellings with amenity space are classified as a particularly sensitive proposed use land contamination investigations are required. As remediating worst case conditions should be feasible this matter can be dealt with by conditions.

Conclusion:

Whilst the loss of a Public House is always regrettable the submitted viability study shows that the existing business is in decline and highlights that there are alternative Public Houses within a short walking distance from the site. The potential designation of the site as an ACV would provide the parish councils or any community groups the opportunity to come up with a bid for the asset when it is sold, which could lead to the retention of the Public House. However it is not considered that this possible designation would be a significant material consideration in terms of the planning application. Furthermore, given the unviability of the existing site, granting planning consent for the alternative use allows for an appropriate redevelopment of the property should a community group not wish to bid on the site.

The proposed development would retain the existing buildings, which add to the character of the conservation area, and would improve the overall appearance and historic significance of the site. The proposed new buildings would be appropriately designed and located and would integrate well with the wider conservation area. The proposal would provide additional housing within this extremely sustainable location and would not result in a detrimental impact on neighbours amenities or highway safety. Furthermore the level of amenity space and off-street parking provision proposed is considered to be acceptable in this particular location. As such the application complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

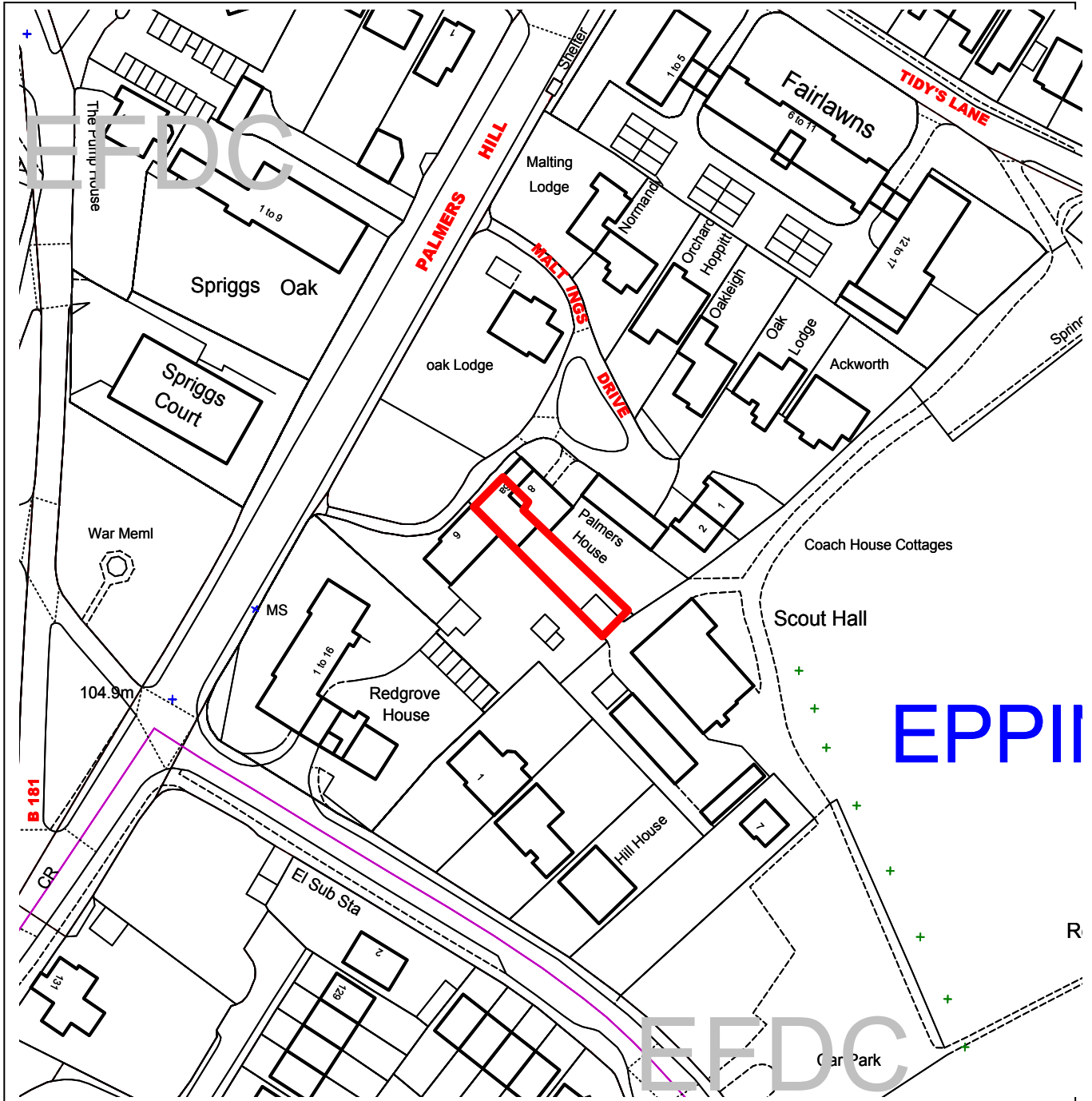
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

AGENDA ITEM NUMBER 8



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Application Number:	EPF/0933/15
Site Name:	6A Palmers Hill, Epping CM16 6SG
Scale of Plot:	1:1250

Report Item No: 8

APPLICATION No:	EPF/0933/15
SITE ADDRESS:	6A Palmers Hill Epping Essex CM16 6SG
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Kevin Cordes
DESCRIPTION OF PROPOSAL:	Proposed conversion of existing garage to granny annexe with raising of roof and facade alteration.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575313

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.
- 3 No commercial activity shall take place at the site other than to a level which would remain ancillary to the residential use unless otherwise agreed by the Local Plan Authority.

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

Description of Site:

The application site is located within the town centre of Epping and accessed down a short entrance lane off Palmers Hill. The house is Grade II listed, a middle terrace and is served by a reasonably sized garden area to the rear. Located at the end of the garden is a single storey detached outbuilding which also has access onto the playing fields to the rear. The site is within the Epping Conservation Area.

Description of Proposal:

The applicant seeks consent to alter the outbuilding in order to create a residential annexe. The footprint of the building would not alter and a pitched roof would be erected above to a height of 4.2m. Amended plans received on 16/6/15 have confirmed that the building would be finished in weatherboard with a slate roof.

Relevant History:

No relevant history.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
HC6 & HC7 – Conservation Areas
HC12 – Setting of Listed Buildings

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

Summary of Representations:

PARISH COUNCIL: Objection. The proposal would have a detrimental impact on the surrounding countryside, the setting of the listed building and Conservation Area. The change and intensification in use would have a detrimental impact on the amenity of adjoining residents. Should consent be granted committee suggest a condition preventing commercial use and that the building should only be used ancillary to the main dwelling.

Site Notice Displayed and 2 neighbours consulted: 3 replies received.

6 PALMERS HILL: Objection. Concern that the proposed works will have a deleterious impact on the setting of the listed building. Concern that the proposed scheme will block a centuries old view and have a detrimental impact on neighbour amenity. Concern about potential overlooking into our property. The proposed building would not complement the existing listed building and would have a negative impact on the special setting. Concern that the building will be rented, sold as a separate entity or used for commercial purposes. We do not understand how anyone would knowingly buy a listed building only to undertake major change.

8 PALMERS HILL: Objection. Mr and Mrs Hetherington, my neighbours at 6 Palmers Hill, have researched this Application so well that all I need to say is that I agree wholeheartedly with all their objections to the proposed development at 6A Palmers Hill, described by Mr and Mrs Cordes ,as a Granny Annex, for residential purposes, to be built at the bottom of their small garden.

I cannot believe that anyone would give permission for this project to go ahead. I have lived in my house, 8 Palmers Hill, for fifty years. This house has always been the perfect place to live, to bring up my five children and to live here in old age with my grandchildren visiting frequently and using the marvellous facility of the Playing Field at the bottom of our garden through the garden gate to play football, tennis and to play in the children's Playground.

The Scout and Guide activities taking place in the Field would be jeopardised by the access to 6A Palmers. Mr and Mrs Cordes may say now that all access would be through their own home, but I fear that once built, the proposed annex would either now, or in the future come to be treated by all as a separate property with access for both traffic and pedestrians from the pathway alongside the Playing Field.

EPPING SOCIETY: Objection. The size and change of use would have a negative impact on the character and appearance of the Conservation Area as well as neighbouring properties. This will lead to a loss of amenity for the neighbours as well as the surrounding neighbourhood. The conversion would have a negative impact on the historical setting of the main property which is a listed building. The principle of conversion from a garage to a living space and potentially a business is a concern.

Issues and Considerations:

The main issues to consider relate to the setting of the listed building/conservation area, design, amenity and the comments of consultees.

Design

The proposed development will sit within the curtilage of the Grade II listed building, 6 Palmer's Hill, an early 19th century red brick house roofed with welsh slates. It will fall also within Epping Conservation Area. Those two designations attest to the heritage significance of the property and its setting. The original property was divided into 3 dwellings. The building subject to the application is a garage built in the late 1990's at the end of the garden.

A number of objections have been received and one concern is that the new structure would have deleterious impact on this special setting. This is difficult to accept and understand. At present the building which stands on this position is in a poor state of repair, with a flat felt roof, and detracts from the special setting. In contrast the new structure will be well designed, will use vernacular materials and will significantly improve the special setting of these listed buildings and the Conservation Area. The Council's Conservation Section has been consulted and has no objections to the proposal. Sample materials can be agreed by condition.

Amenity

Concern is also expressed that the proposal will impact excessively on the amenity of adjacent neighbours. The development in essence pitches a roof over the existing building and located at the end of a reasonably generous and wide garden it would not impact excessively on amenity. Whilst a loss of a view is cited as an issue this is not a material planning consideration and there is no loss of outlook. There are no windows above ground level and therefore there would not be an issue with overlooking.

Consultee Comments

It has been further stated in consultee comments that the proposed development will be used for commercial purposes. The application is for ancillary accommodation only and for the most part the conversion of an existing building to ancillary residential does not require consent. A new building for that use is appropriate. Subsequent use for any non ancillary use, including use as a separate residential unit would require express consent. No condition is therefore required to prevent this.

Conclusion:

The proposed scheme would improve the setting of the listed buildings and the Epping Conservation Area. There would be no significant impact on the amenity of adjoining residents. It is therefore recommended that the scheme is in accordance with the relevant local and national planning policies and that consent is 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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

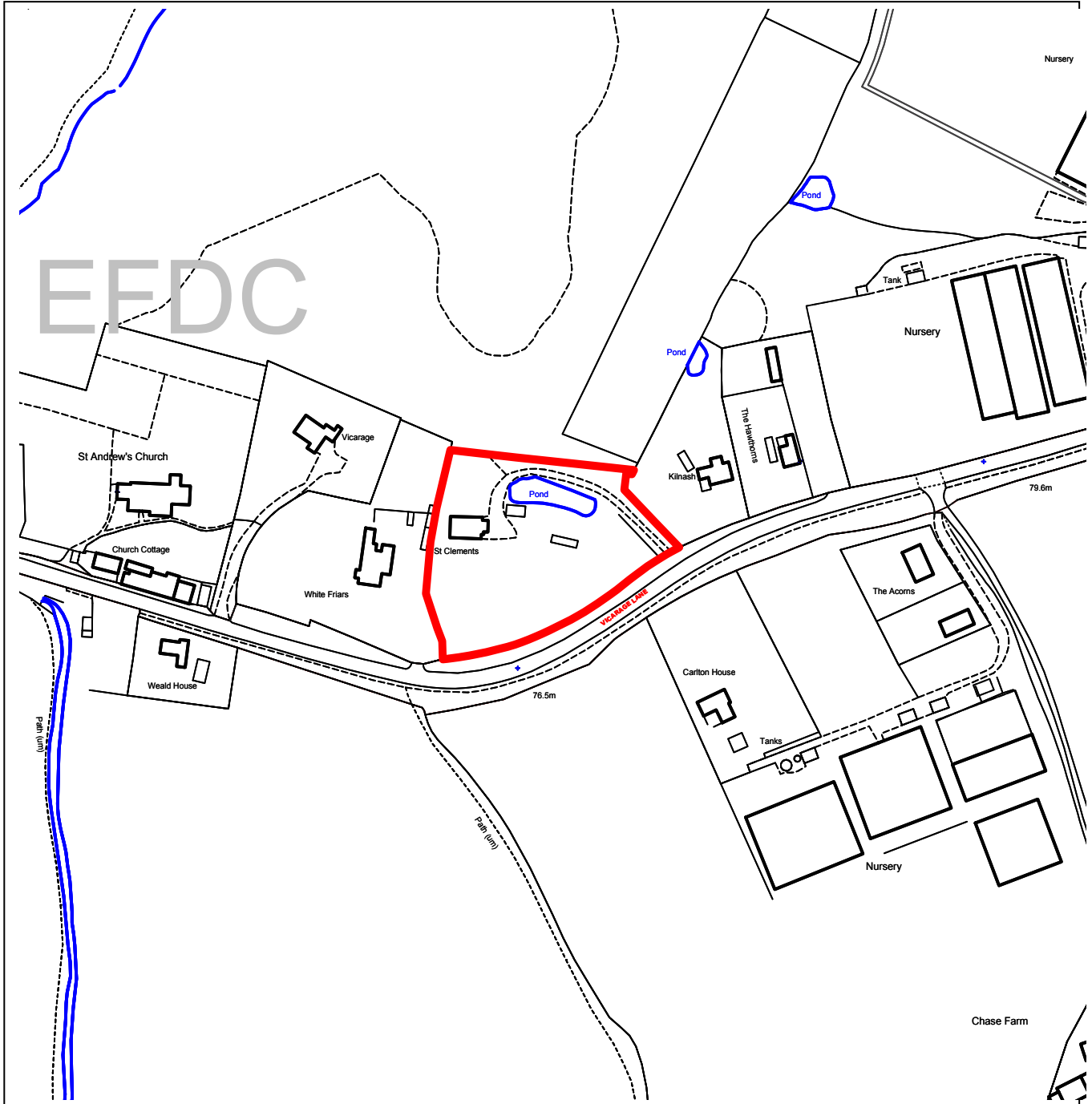
***or if no direct contact can be made please email:
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Epping Forest District Council

AGENDA ITEM NUMBER 9



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Application Number:	EPF/1008/15
Site Name:	Saint Clements, Vicarage Lane West, North Weald CM16 6AL
Scale of Plot:	1:2500

Report Item No: 9

APPLICATION No:	EPF/1008/15
SITE ADDRESS:	Saint Clements Vicarage Lane West North Weald Essex CM16 6AL
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr John Scott
DESCRIPTION OF PROPOSAL:	Erection of timber framed office/workshop/store, summerhouse, poolhouse and pool
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575596

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.
- 3 No development shall take place until details of foul water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

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

Description of Site:

The application site is located on the northern side of Vicarage Lane West approximately 200 metres east of Church Lane on the outskirts of the town of North Weald. The site is located at a fairly isolated location within the boundaries of the Metropolitan Green Belt although there are a number of properties within the immediate area. The site is expansive and is occupied by a Grade II Listed dwelling with a weatherboard/render, tiled roof finish, set back from the road and accessed down a long drive. A large domestic pond is located along this drive.

Description of Proposal:

The applicant seeks consent to construct three ancillary outbuildings within the grounds of the property with a domestic pool. The development is as follows;

Pool House and Domestic Pool – The Pool House building would be located towards the front of the house and near the common boundary with the adjacent neighbour, White Friars. The building would have a footprint measuring 6.5m x 5.0m with a ridge level of 4.0m. The building would be timber clad with a tiled roof. A domestic pool would be constructed adjacent to the Pool House; this would be 9.0m long x 3.5m wide.

Office/Workshop/Store - This building would have a footprint measuring 7.6m x 6.6m with a ridge level of 4.4m and a small upstairs storage area. The ground floor would be used as a workshop/store and the building would be located close to the common boundary with White Friars and behind the house. The outbuilding would be finished in timber with a tiled roof.

Summerhouse – This building would be constructed to the east of the house and would have a footprint measuring 11.0m x 7.3m with a ridge level of 5.1m. This building would also be timber clad with a tiled roof.

Two outbuildings at the site have recently been demolished.

Relevant History:

EPF/2186/10 - Erection of new two storey link attached bedroom wing, internal alterations and a detached double garage with demolition of existing outbuildings. Refuse Permission (Householder) - 17/01/2011.

EPF/2187/10 - Grade II listed building application for the erection of new two storey link attached bedroom wing, internal alterations and a detached double garage. Refuse Permission - 17/01/2011.

EPF/1208/11 - Erection of new two storey link attached bedroom wing, internal alterations and demolition of existing outbuildings. Refuse Permission (Householder) – 08/08/11. Refuse Permission – 08/08/11. Appeal dismissed - 24/02/2012.

EPF/1209/11 - Grade II listed building application for the erection of new two storey link attached bedroom wing, internal alterations and demolition of existing outbuildings. Appeal dismissed - 24/02/2012.

EPF/2630/13 - Two storey cart lodge. Withdrawn - 24/01/2014.

EPF/2631/13 - Conservatory. Refuse Permission (Householder) – 31/01/14.

EPF/2640/13 - Grade II listed building application for a conservatory. Refuse Permission – 31/01/14.

EPF/0269/14 - Single storey cart lodge. (Revised application). Grant Permission (With Conditions) – 02/04/14.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 & 9 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

HC12 – Setting of Listed Buildings

GB2A – Green Belts

GB7A Conspicuous Development

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans

according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: No Objection.

5 neighbours consulted and Site notice displayed: 1 reply received.

WHITE FRIARS: Objection. Concern that the demolished buildings may have been protected by the listing and were curtilage listed. Concern about how sewage will be disposed of from the office/workshop and that there is already an issue with disposal at this site. Concern that the proposed scheme will lead to a loss of trees/hedgerow. Concern that we will suffer a loss of amenity and that these structures will be visible from our property. Concern that in time a further detached property could be developed at this site. Concern that the proposed development will have a deleterious impact on the setting of the Listed Building and that it would compromise the open character of the Green Belt. We have no objection in principle to the Pool House.

Issues and Considerations:

The main issues to consider relate to the Green Belt setting of the site, the setting of the listed building/design, amenity and the comments of consultees.

Green Belt

The site is within the Metropolitan Green Belt and such applications are covered by the "GB" policies within the Local Plan and Alterations and by Chapter 9 of national guidance contained within the National Planning Policy Framework (NPPF). However there are no policies either locally or nationally which relate directly to outbuildings and the hard line could be that they are inappropriate developments. Conversely the vast majority of outbuildings can be constructed as permitted development under Class E. However as this site is occupied by a Listed Building consent will always be required for such structures.

When assessing applications for outbuildings, when required, the Local Planning Authority accept the need for such buildings and tend to take the view that when a property has a generous garden area additional allowance can be made for machinery storage. However as a rule of thumb a double Garage/Store is considered a reasonable allowance for most properties.

In 2013 consent was granted for a cart lodge building at the site. The outbuilding has not been constructed on site but would be single storey and would have an open bay for a vehicle and an enclosed area for general storage. The building would measure 5m by 5.6m and have a dual pitch roof. It would be located to the rear of the dwelling house along the western side boundary of the site. This was a revision to a previously much larger two storey linked scheme that was dismissed on appeal because of its harmful impact on the setting of the listed building in 2012.

Whilst this is a relatively small building it will provide some storage/parking at the site. What is now proposed is that a number of additional outbuildings are constructed within the grounds of the property to meet the applicant's needs.

Whilst three separate buildings are proposed on site, recently two dilapidated structures have been removed from site. It seems reasonable that the floor area of these buildings, approximately 75 sq m in total is counted towards the new structures. The proposed Office/Workshop/Store would have a floor area of approximately 50 sq m; the Summerhouse 80 sq m and the Pool House 32 sq m. The proposed Office/Workshop/Store would have a similar floor area and the removed buildings and can be justified in lieu of their removal. The Pool House and Summerhouse are two

additional structures. The Pool House is a relatively small structure at 32.5 sq m and in truth the extant permission for the Garage/Store is smaller than many structures which are regularly approved to meet this need. A small Pool Building can be justified.

The remaining Summerhouse building would have a floor area of circa 80 sq m and would be located to the east of the dwelling and closer to the entrance to the site. This additional building is a more balanced judgement in terms of its impact on the open character of the Green Belt. However this is an expansive site with a relatively large plot to maintain. The site is well screened to views by vegetation and in Officer's view the proposed additional building can, on balance, be justified. The proposed outbuildings are reasonable requirements to serve a residential property and as stated in most cases additional outbuildings can usually be constructed under the permitted development regime.

Comments received from the adjacent neighbour have stated that the previously removed buildings may have been curtilage listed. The Conservation Officer is of the view that they are unlikely to predate 1948 but in any case they were of no merit and their removal has enhanced the setting of the Listed Building. Concern has been expressed that the Summerhouse building could be separated to form a new residential property. The application must be judged as applied for and the Council cannot surmise ulterior motives when assessing a scheme. As a separate dwelling would require planning consent a condition is not necessary to prevent this.

Setting of Listed Building

The existing building on site is Grade II Listed and the removal of the existing outbuildings has no doubt improved this special setting. Furthermore the proposed outbuildings are traditionally designed and the use of good quality materials should ensure that the submitted scheme will preserve the special setting of the Listed Building. These can be agreed by condition.

Amenity

Whilst concern has been expressed by the adjacent neighbours with regards to this scheme, it is not considered that the proposed structures would impact excessively on amenity. The submitted plans indicate a reasonable gap to the boundary where there is some vegetation screening and the buildings are not particularly excessive in size.

Land Drainage

The site lies within an Epping Forest District Council flood risk assessment zone. However the proposed development will cause only a negligible increase in surface water runoff; therefore a Flood Risk Assessment is not required. The neighbour adjoining the site has also expressed concern about foul drainage and further details of foul drainage can be agreed by condition.

Conclusion:

The proposed development is considered to be acceptable from a Green Belt perspective. The setting of the Listed Building would be maintained and there would be no significant impact on the amenity of adjoining residents. It is therefore recommended that consent is granted subject to conditions.

Date of site visit: 18.6.15

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

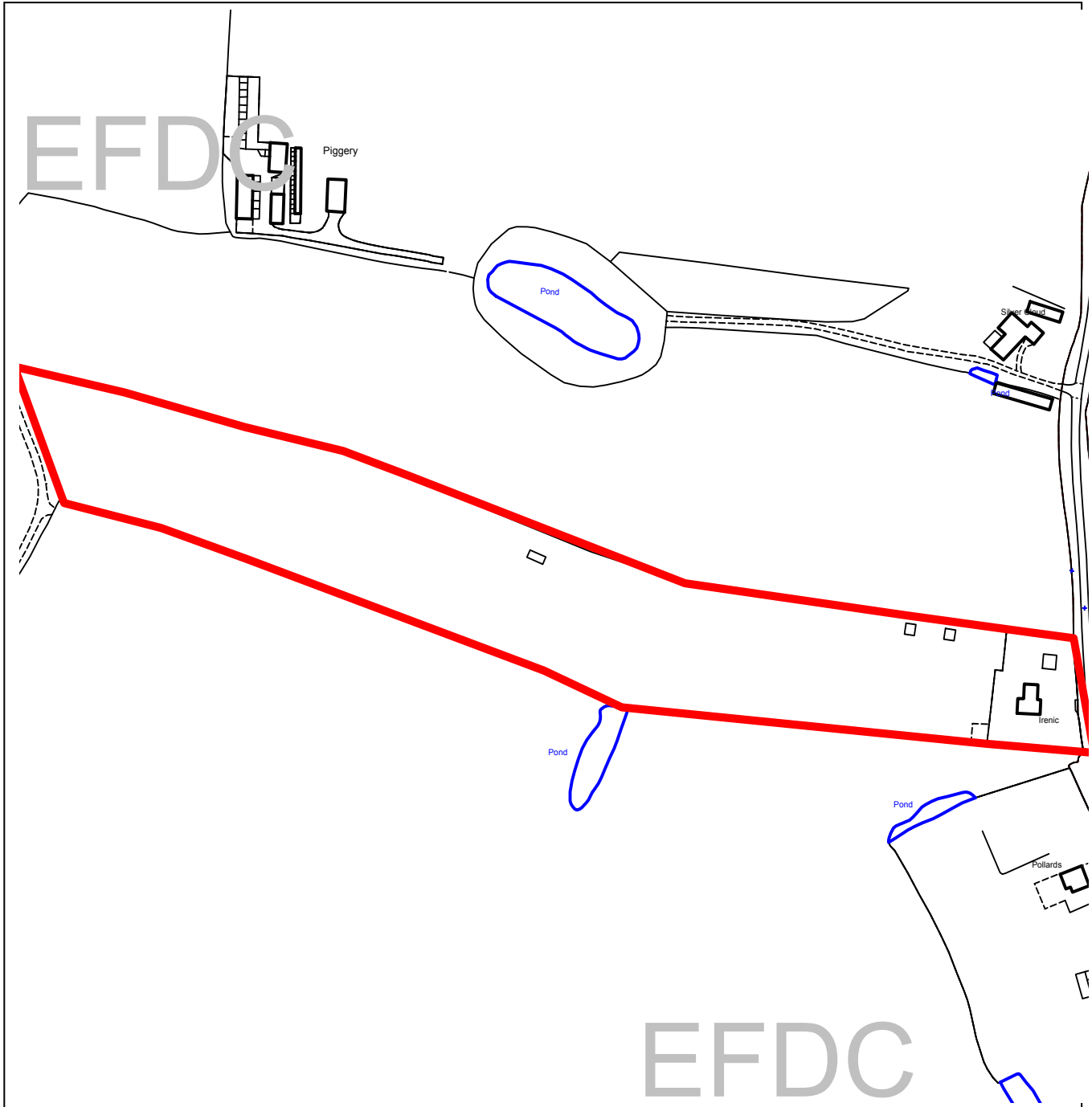
Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336

or if no direct contact can be made please email:
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AGENDA ITEM NUMBER 10



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Application Number:	EPF/1016/15
Site Name:	Irenic Orchard, Ashlyns Lane Bobbingworth, CM5 0NB
Scale of Plot:	1:2500

Report Item No: 10

APPLICATION No:	EPF/1016/15
SITE ADDRESS:	Irenic Orchard Ashlyns Lane Bobbingworth Essex CM5 0NB
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr Ian Eastwell
DESCRIPTION OF PROPOSAL:	Retrospective planning permission for retention of rear infil extension and link between main house and former gym, together with removal of annex to south of house.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575604

CONDITIONS

- 1 On or before the expiration of 28 days from the date of this decision the existing annexe building shown to be removed on plan ref: IO/E/11 shall be demolished.
- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or outbuildings 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.

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

Description of Site:

The application site consists of a detached one-and-a-half storey house that previously benefitted from several detached outbuildings and sits within a large plot on the western side of Ashlyns Lane. The original dwelling has previously been linked to the former detached annexe building and benefits from previous extensions. The site is located within the Metropolitan Green Belt and surrounded by open fields.

Description of Proposal:

Retrospective consent is being sought for a single storey rear infill extension that provides a roof terrace and a single storey link extension between the main dwelling and former gym (garage). The proposed rear extension measures 14.2m in width and 6.1m in depth and infills between the existing two storey (incorporating the roof area) rear projection and the former annexe building that has previously been linked to the main dwelling. The rear extension creates a roof terrace and measures 3.5m in height (to the top of the parapet) with glass panelled balustrades. The proposed link extension measures 6m in width and 3.6m in depth and joins the main dwelling (part of the former annexe) with the detached gym (former garage). This has a ridged roof to a maximum height of 4.5m.

This application proposes to demolish and remove the existing annexe to the south of the dwelling. This existing outbuilding measures some 16m in length and 6m in width and is single storey in height with a dual pitched roof.

Relevant History:

EPF/1646/02 - Erection of rear extensions and alterations to the roof to allow loft conversion including dormer windows – approved/conditions 23/09/02
EPF/2018/02 - Erection of outbuilding containing double garage, study and garden room – refused 06/12/02
EPF/1821/04 - Rear conservatory – approved/conditions 24/01/05
CLD/EPF/2240/08 - Certificate of lawful development for proposed single storey side extension – lawful 19/01/09
CLD/EPF/2244/08 - Certificate of lawful development for a proposed single storey side extension – lawful 19/01/09
EPF/1304/10 - Construction of link building between dwelling and annexe – approved/conditions 14/09/10
EPF/2311/10 - Construction of link porch between dwelling and outbuilding – refused 21/12/10 (appeal dismissed 07/03/11)
CLD/EPF/0668/11 - Certificate of lawful development for the proposed alteration of the roof of an existing outbuilding (Class E) and the construction of a link porch between the existing dwelling and, but not attached to, the existing outbuilding (Class A) – not lawful 17/05/11
EPF/0277/15 - Retrospective planning permission for a rear infill extension and a link extension between the main house and former gym (garage) – refused 02/04/15

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
DBE4 – Design in the Green Belt
DBE10 – Residential extensions

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

Consultation Carried Out and Summary of Representations received:

Since the dwelling has no immediate neighbours no neighbouring residents were directly consulted however a Site Notice was displayed.

PARISH COUNCIL – Objects to this application as the site is located within the Green Belt and the alterations do not constitute a proportionate addition from the size of the original building, which has been expanded considerably. The application is unacceptable because the proposed extension by reason of its size, would harm the objectives of the Green Belt.

Issues and Considerations:

This retrospective planning application follows enforcement investigations against the unlawful erection of extensions at this site. The original application to retain these unlawful extensions was refused consent in April 2015 for the following reasons:

The application site is located within the Metropolitan Green Belt and the proposed extensions, both in themselves and cumulatively with the previous additions, would result in disproportionate extensions and therefore would constitute inappropriate development harmful to the openness of the Green Belt. No very special circumstances exist that clearly outweigh the harm to the Green Belt and therefore the proposal is contrary to the guidance contained within the National Planning Policy Framework and policies CP2 and GB2A of the adopted Local Plan and Alterations.

The proposed extensions and incorporation of the formerly detached outbuilding would increase the bulk and physical presence of the already large and sprawling dwelling that would exacerbate the detrimental impact the property has on the character and appearance of the rural location, contrary to the guidance contained within the National Planning Policy Framework and policies CP2, DBE4 and DBE10 of the adopted Local Plan and Alterations.

In order to overcome the above reasons for refusal this revised application proposes to demolish the existing detached annexe building to the south of the house as a 'trade-off' for the retention of the currently unlawful extensions. Therefore the main issues to be considered are whether this trade-off would outweigh the harm to the Green Belt and overcome the previous concerns with regards to the appearance of the extensions.

Green Belt:

Paragraph 89 of the NPPF states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this [include]:

- *The extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building”.*

It also highlights that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.

The original dwellinghouse on this site was a single storey bungalow with a floor area of 93.7m². The dwelling has already been substantially extended over the years by way of rear additions and a side link attaching the dwellinghouse with a formerly detached annexe building. As a result of the previous extensions, including the floor area of the formerly detached annexe, the dwelling had already been extended by 232% prior to the erection of the retrospective additions proposed here. The extensions subject to this application would measure 106.2m² and further raise this level of additions to 345% over and above the original dwellinghouse. It was due to this that the previous application to retain the extensions was refused consent under EPF/0277/15.

As stated above, this revised application now proposes to demolish the existing detached outbuilding to the south of the main dwelling as a 'trade-off' for the retention of the unlawful extensions already added to the dwelling. The existing outbuilding, which is now being used as a residential annexe, measures some 16m in length and 6m in width and therefore has a floor area of 96m². Whilst this is slightly less than the 106.2m² of the proposed (retrospective) extensions the two additions would infill between existing parts of the dwelling and detached outbuilding and would be viewed within the context of the existing house as opposed to the existing annexe which is a large detached building located at the side of the dwelling and clearly visible from the roadway. Therefore whilst the existing outbuilding to be demolished is slightly smaller than the extensions to be retained this trade-off would reduce the spread of built form on the site by concentrating the development through the infilling of the existing projections/outbuildings and removing a substantial outbuilding.

Given the large amount of existing additions on the site, and since the proposed extensions are still larger than the outbuilding that is being 'traded', the proposal continues to constitute inappropriate development that is, by definition, harmful to the openness of the Green Belt. However it is considered that the demolition of the existing outbuilding would constitute sufficient very special circumstances that outweigh this harm.

Due to the above, permitted development rights would need to be removed from this property to ensure that no new outbuilding or extensions are erected without the need for planning consent, since any such development would counter the 'very special circumstances' of this application. The removal of these rights is also a material planning consideration that weighs in favour of granting consent as it allows the Council to control any further built form added to this vastly developed site.

Design:

This existing dwelling has previously been extended and linked to a former outbuilding (annexe) and as a result has become a large, sprawling dwelling. A previous application in 2010 to link the house with the detached outbuilding proposed to be demolished as part of this application was refused planning consent and subsequently dismissed on appeal because it was considered that *"the joining together of the dwelling and southern outbuilding... would substantially add to the apparent size of the original house and, therefore, would not be small and subordinate in scale and would represent a disproportionate addition over and above the size of the original building"* that *"would increase the bulk and physical presence of buildings on site"*.

It was considered in the last application that, whilst the proposed extensions do not increase the visual width of the dwelling they nonetheless add additional bulk and physical presence to the already vastly enlarged dwelling and would detrimentally impact on the overall character and appearance of this rural area. Since this revised application now proposes to remove the existing detached outbuilding located to the south of the dwelling it is considered that the additional bulk on the dwellinghouse that results from these additions would be outweighed by the removal of the substantial outbuilding, which is far more visually prominent than the unlawful additions under consideration here. Therefore it is considered that the 'trade-off' of the outbuilding would be sufficient to overcome the second reason for refusal on EPF/0277/15.

Conclusions:

Whilst the proposed extensions, both in themselves and when considered cumulatively with the previous extensions, would constitute disproportionate additions over and above the original dwellinghouse and therefore constitute inappropriate development that is, by definition, harmful to the openness of the Green Belt, the demolition of the existing substantial outbuilding and subsequent removal of permitted development rights would be an adequate 'trade-off' for the

retention of these extensions. As such it is considered that there are sufficient very special circumstances that outweigh the harm from this inappropriate development.

Furthermore the removal of the large visually prominent existing outbuilding would outweigh any harm resulting from the increased bulk and physical presence of the extensions. Therefore the balance of considerations with this revised proposal would now ensure that the application complies with the guidance contained within the National Planning Policy Framework and Local Plan policies CP2, GB2A, DBE4 and DBE10 and the application is now 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:

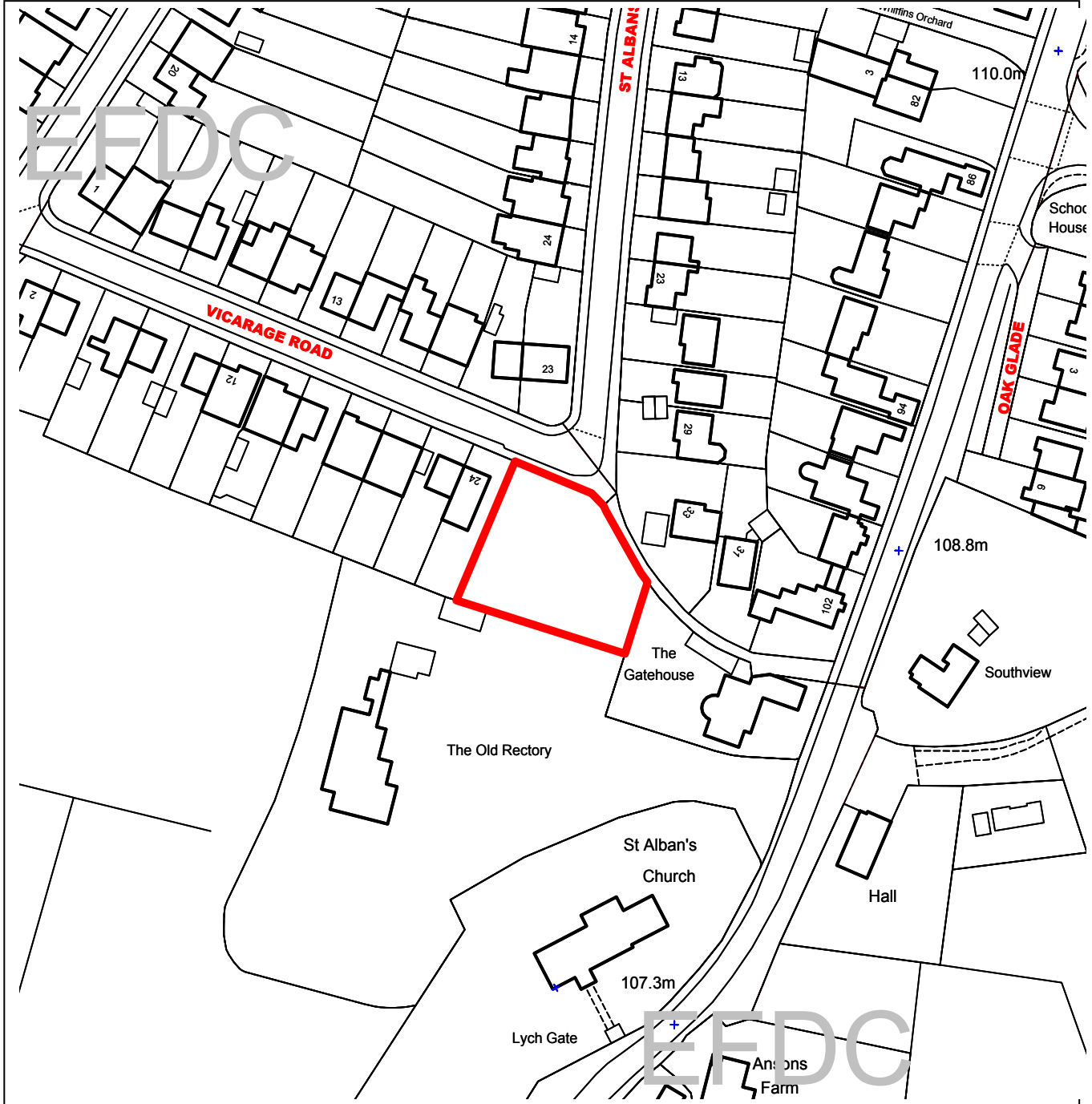
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

AGENDA ITEM NUMBER 11



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Application Number:	EPF/1172/15
Site Name:	Land adj to no. 24 Vicarage Road Coopersale
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/1172/15
SITE ADDRESS:	Land adj to no. 24 Vicarage Road Coopersale Epping Essex
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Chris Hoare
DESCRIPTION OF PROPOSAL:	Erection of 2, two storey detached houses with rooms in the roof.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576134

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: 134.PL01, 134.PL02, 134.PL03, 134.PL04, 134.PL05, 134.PL06, OS 992-15.2
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place, 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 parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 7 Prior to first occupation of the development the vehicular accesses, at their junction with the highway, shall not be less than 3 metres in width and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 8 There shall be no discharge of surface water onto the Highway.
- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 10 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.
- 11 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]
- 12 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]

- 13 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]
- 14 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.
- 15 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.
- 16 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. Measures to control the emission of dust and dirt during construction, including wheel washing.

- 17 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 for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of Site:

The application site currently consists of a parcel of garden related to The Gatehouse, Coopersale Common. It currently contains a tennis court and vegetation, including two TPO trees, and is bordered by a high brick wall. The site is bordered to the northeast by a public footpath and benefits from a gated pedestrian access onto Vicarage Road. To the south of the site is The Old Rectory, which is a Grade II listed building. The site is surrounded by residential properties and is located within the village boundary of Coopersale outside of the Metropolitan Green Belt.

Description of Proposal:

Consent is being sought for the erection of two detached dwellings fronting onto Vicarage Road. The proposed dwellings would each measure 10.5m in width and 9.5m in depth with crown topped roofs reaching a height of 8.1m. The proposed houses would each be 5 bed properties with individual vehicle access, parking provision and rear amenity space. They would be set back 12m from the edge of the highway and approximately 6.4m behind the front elevation of the adjoining neighbour at No. 24 Vicarage Road.

Relevant History:

None relevant.

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H3A – Housing density
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
HC12 – Development affecting setting of listed buildings

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

they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

12 neighbours were consulted and a Site Notice was displayed on 04/06/15.

TOWN COUNCIL – No objection.

THE OLD RECTORY, COOPERSALE COMMON – Object as the development would not conform to the character and building line of Vicarage Road, the houses would be excessive in height with three storeys, they would be detrimental to the setting of the neighbouring listed building and the Green Belt, and since the houses would result in overlooking of their property.

12 VICARAGE ROAD – Object as more properties would exacerbate the existing parking problems and as the dwellings would be out of character with the rest of the street.

13 VICARAGE ROAD – Object as this would impact on the existing parking problems, would result in highway safety concerns, as the construction works would make the alley dangerous, since the dwellings would be out of character with the other properties in the street, and due to noise concerns during construction.

19 VICARAGE ROAD – Object to the removal of trees, loss of on-street parking, pedestrian safety given the proximity of the new vehicle crossovers to the alley, the increase in traffic, the design of the houses which is out of keeping with the surrounding houses, and due to noise and disturbance from construction works.

20 VICARAGE ROAD – Object as the proposed development would have an adverse impact on visual amenities and outlook of neighbouring properties and since the inclusion of windows in the second floor would be out of character with the area. Also highlight that the development is adjacent to an alley used by children and ramblers.

21 VICARAGE ROAD – Object due to the loss of privacy, the loss of on-street parking, the impact on local schools, etc., and due to the loss of their current view.

23 VICARAGE ROAD – Object due to a loss of outlook, pedestrian safety concerns as a result of the vehicle access points, drainage concerns, the increase in parking that would result from the development, and due to disturbance during construction works. Also this proposal, along with the possible development of the nearby allotments, would have a significant impact on local facilities as well as traffic, noise, etc.

24 VICARAGE ROAD – Object as the development is out of character with the street scene and wider area, it is an overdevelopment of the land, there would be a detrimental impact on local schools, infrastructure, etc., and due to the impact on the adjacent listed building.

20 ST ALBANS ROAD – Object due to parking concerns.

33 ST ALBANS ROAD – Object due to overlooking from the front windows of House 2, the loss of light, due to highway safety concerns, as the dwellings would be out of character with the rest of the road, and due to disturbance and disruption during construction works.

7 INSTITUTE ROAD – Object as the proposed vehicle access points would be dangerous for pedestrians using the adjacent footpath and the increased vehicle movements would result in highway safety concerns.

Main Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, amenity considerations, design, and regarding highway and parking concerns.

Suitability of site:

The application site is located within the village envelope of Coopersale, which is a small settlement predominantly residential in nature but containing amenities such as a school, small parade of shops and a public house. Given that 92.4% of the District is designated Green Belt the principle of further development within existing settlements outside of the Green Belt such as this are generally considered to be appropriate.

Although Coopersale is not well served by public transport there are local facilities within the village such as a small row of shops (Parklands Local centre), a Primary School, a cricket ground and a Public House (the Garnon Bushes). Furthermore, whilst not within a reasonable walking distance, the village is a relatively short distance from the main town of Epping.

The provision of two additional dwellings within this existing, relatively densely built-up residential area, is not considered to be unduly detrimental in terms of sustainability nor would two new houses put undue pressure on local facilities such as the primary school. Whilst some reference has been made by neighbours to a possible larger housing scheme on the allotment site north of Institute Road, and the combined effect of both these development on local services, these are two completely separate and unrelated applications that vary greatly in terms of scale. Furthermore, to date there has been no application submitted with regards to the potential allotment development. As such any potential future application at the allotment site has no bearing on this proposed development.

The surrounding residential dwellings primarily consist of semi-detached or detached houses on relatively constrained plots, particularly those to the east on the opposite side of the alleyway. The erection of two dwellings on this 0.1 hectare site equates to 20 dwellings per hectare, which is significantly lower than the recommended 30-50 dwellings per hectare in policy H3A. As such the erection of two dwellings would clearly not constitute 'overdevelopment' of the site and therefore is considered to be acceptable in principle.

Amenity considerations:

The proposed dwellings would be set further back from the edge of the highway than the neighbouring property at No. 24 Vicarage Road and, as a result of this, House 1 would extend approximately 4.5m beyond the rear wall of this neighbouring dwelling. Despite this the proposed new house would be located 4.4m from the flank wall of the neighbouring dwelling and would not encroach a 45 degree angle as measured from the closest rear window in this neighbouring property.

The neighbouring resident to the northeast, No. 33 St Albans Road, is set considerably further forward than the proposed new houses and has raised concerns about overlooking of their rear windows from the front windows of House 2. The proposed new dwelling would be located some 7.4m from this neighbouring dwelling and due to its positioning in relation to the neighbour the front windows would only overlook the side flank wall and attached garage building. Furthermore this would be relatively well screened by the existing preserved trees. As such it is not considered that there would be any overlooking as a result of the front windows of the proposed new dwelling. Given the distance between the dwellings (in part due to the presence of the public footpath) and the presence of the existing preserved trees along the neighbours boundary it is not considered that there would be any unduly detrimental loss of light or outlook to the residents of No. 33 St Albans Close.

The only upper storey windows within the flank elevations of the proposed new dwellings would be high level hallway windows and high level rooflights, none of which would result in any loss of privacy to neighbouring properties.

Concern has been raised on behalf of the owner of The Old Rectory, which is a large listed building located to the rear of the application site. Whilst the rear walls of the proposed dwellings would be located between 10m and 13m of the shared boundary with this neighbour, which is less than the recommended 15m as laid out within the Essex Design Guide, the area that would be overlooked by the proposed new dwellings is a large detached outbuilding and an area of green within the front garden/access area of this substantial property. The dwelling and private rear garden would suffer no loss of privacy and as such it is not considered that the proposal would have any detrimental impact on the amenities of these residents.

Concern has been raised by several neighbours with regards to disturbance and noise as a result of construction works, however since any such harm as a result of construction is a short lived issue it is not a material planning consideration. However conditions could be imposed in order to reduce and control any potential impact as a result of the construction of the dwellings.

The proposed dwellings would benefit from amenity space measuring 189m² (Plot 1) and 236m² (Plot 2), which both exceed the recommended 180m² required for each house. The amenity space for each dwelling would be located to the rear and side and would be suitably private and usable.

Design:

The proposed new dwellings would be two storey detached properties with an additional third floor within the roof space. Each of the properties would be largely symmetrical in appearance and would have hipped roofs with two front gable projections and a small central flat roofed dormer window. The dwellings would have projecting bay windows at the front and rear that extend up to second storey level and would benefit from an open fronted porch and rear veranda.

The proposed dwellings would be traditional in appearance and would utilise plain clay tiles on the roof and a mix of brick and render on the walls to match the existing dwellings within Vicarage Road and St. Albans Road. Whilst concern has been raised by neighbours with regards to the 'three storey' height of the proposed new dwelling the third storey is fully integrated within the roof area and therefore the proposed dwellings would be just 20cm higher than the neighbouring properties on Vicarage Road and would have a matching eaves height. Therefore they would not appear as over dominant three storey properties particularly as they are set back from the road.

Whilst the majority of dwellings along Vicarage Road and St. Albans Road are semi-detached properties that share a single design (although several have been extended to the side, which provides some variation) the five detached dwellings to the immediate northeast of the site (No's 25-33 St Albans Road) differ in terms of type, size and appearance to the remainder of the road. Given the location of the proposed new dwellings and the significant set-back from the edge of the highway it is considered that an alternative appearance to these houses would not be unacceptable. Whilst the properties would not mirror the built form or appearance of the run of houses along Vicarage Road it is not considered that this development would be detrimental to the character and appearance of the street scene.

There are two TPO trees located along the western boundary of the site. The submitted tree report has demonstrated that the proposed development can take place without a detrimental impact on these, or any other trees shown to be retained. As such the majority of the established landscaping will be retained on the site, which would assist in softening the overall appearance and impact of the development.

The Tress and Landscape Section has raised no objection to the scheme.

Highways and parking issues:

The proposed new dwellings would be served by two new vehicle crossovers onto Vicarage Road. Since Vicarage Road is unclassified the crossovers themselves do not require planning consent, simply consent from Essex County Council Highways. Nonetheless, the proposed new vehicle crossovers would provide separate access to each property and the gravelled front garden areas can accommodate at least three off-street parking spaces.

Concern has been raised that the new access points would cause highway safety issues and a conflict with pedestrians, particularly that serving House 2 given its proximity to the public footpath. No objection has been raised by the ECC Highways Officer and it is proposed to replace the existing high brick wall that currently runs adjacent to Vicarage Road with a low picket fence. Therefore there would be clear visibility between anybody exiting the new properties and pedestrians using the public footpath or the pavement. As such it is not considered that the proposed access points would have any detrimental impact on highway safety or cause conflict with pedestrians.

The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units plus 0.25 visitor parking spaces per dwelling. Therefore there is a requirement for a total of five off-street parking spaces to serve the two proposed dwellings. Given that each dwelling would have its own individual access and parking area it is proposed to provide space for at least 3 off-street parking spaces for each property (although a maximum of four could be squeezed onto the front garden of House 2). This would be accommodated whilst still retaining some landscaped areas and existing trees. Since the proposal exceeds the requirements as laid out within the Vehicle Parking Standards it complies with Local Plan policy ST6.

Concern has been raised by neighbours with regards to the loss of on-street parking which would result from the proposed vehicle crossovers and it is stated that there are existing parking problems on these roads. Although the vehicle crossovers would remove existing on-street parking spaces this element of the proposal does not require planning consent, just Essex County Council Highways consent. Furthermore no objection has been raised by the ECC Highways Officer and as such it is therefore not considered that the impact on on-street parking would be unacceptable.

Other considerations:

Concern has been raised with regards to the impact of the development on the setting of The Old Rectory, which is a Grade II listed building. Whilst the site is located adjacent to this listed building it is at some distance and would not be read as part of the setting of The Old Rectory. The proposed dwelling would therefore have no greater impact on the setting of the listed building than the existing dwellings along Vicarage Road.

There is the potential for made ground used in the construction of the existing Tennis Court and adjoining hardstanding to contain contaminants (demolition waste, tar/bitumen asphalt, ash & clinker). As domestic dwellings with gardens are classified as a particularly sensitive proposed use land contamination investigations are required. As remediating worst case conditions should be feasible this matter can be dealt with by conditions.

The development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. As such a flood risk assessment is required for the development, which can be dealt with by condition.

Conclusion:

The provision of additional housing within this village location would not be unacceptable in terms of sustainability and would not constitute overdevelopment of the land. Whilst the design and positioning of the proposed dwellings would differ from the predominant pattern of development within Vicarage Road the proposal would not be detrimental to the character and appearance of the street scene, particularly when taking into account the detached dwelling to the immediate northeast of the site. The proposal would retain the TPO trees, along with other existing trees, would provide adequate private amenity space and off-street parking provision, and would not result in a detrimental impact on neighbours amenities or highway safety. As such the application complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

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

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

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**Epping Forest
District Council**

Report to Area Plans Sub-Committee

Date of meeting: East – 15 July 2015

Subject: Probity in Planning – Appeal Decisions, 1 October 2014 to 31 March 2015

**Officer contact for further information: Nigel Richardson (01992 564110).
Democratic Services Officer: Adrian Hendry (01992 564342)**

Recommendation:

That the Planning Appeal Decisions be noted.

Report Detail:

Background

1. (Director of Governance) In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).
2. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
3. Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Performance

4. Over the six-month period between 1 October 2014 and 31 March 2015, the Council received 40 decisions on appeals (38 of which were planning related appeals, the other 2 were enforcement related).
5. GOV07 and 08 measure planning application decisions and out of a total of 38, 14 were allowed (36.8%). Broken down further, GOV07 performance was 6 out of 29 allowed (20.68%) including one part-allowed/part-dismissed and GOV08 performance was 8 out of 9 (88.88%), although out of this 8, one was part-allowed/ part-dismissed.

Planning Appeals

6. Out of the planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6-month period, the Council was not successful in sustaining the committee's objection in the following cases:

COMMITTEE REVERSALS - APPEALS ALLOWED:

Area Committee South

- | | | | |
|---|-------------|--|--|
| 1 | EPF/1247/14 | Retrospective application for new extraction system to the rear of the property. | 69 Queens Road
Buckhurst Hill |
| 2 | EPF/1248/14 | Part one and part two storey rear extension, first floor side extension, and enlargement of roof with rear second floor dormer window. | 18 Stradbroke Grove
Buckhurst Hill |
| 3 | EPF/2009/13 | New semi detached house and alterations to existing dwelling. (Revised application) | Land adjacent to
20 Ollards Grove
Loughton |

Area Committee East

- | | | | |
|---|-------------|--|---|
| 4 | EPF/1093/14 | Change of use of existing unit to A2. | 134 - 136 High Street
Epping |
| 5 | EPF/0877/13 | Retrospective application for the change of use of existing menage for the parking/storage of vehicles and plant machinery in connection with established recycling business.[Part Allowed] | Marlow
High Road
Thornwood |
| 6 | EPF/0868/13 | Retrospective application for the change of use of land for storage, sorting, distribution, recycling (crushing and screening) of concrete, hardcore, Tarmac and screen waste together with stationing of related plant and machinery. | Marlow
High Road
Thornwood |
| 7 | EPF/2322/13 | Replacement dwelling | 44 Hoe Lane Abridge |
| 8 | EPF/2610/13 | Lighting to Tennis Court | Theydon Bois Tennis
Club, Sidney Rd. |

7. Whilst the appeal performance for GOV08, committee reversals, was somewhat over the target of 50%, it is appreciated that these are generally contentious applications which are on-balance recommendations. If Members have concerns, they can try and discuss any planning issues they may have before each meeting by making the most of the officer contact at the end of each report. The committees are urged to continue to heed the advice that if they are considering setting aside the officer's recommendation it should only be in cases where members are certain they are acting in the wider public interest and where the committee officer can give a good indication of some success at defending the decision. There was one case where the committee was successful:

COMMITTEE REVERSALS - APPEALS DISMISSED:

District Development Control Committee

- | | | |
|-------------|---|--|
| EPF/1996/12 | Part retrospective application for the change of use of land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank. | Valley View
Curtis Mill Lane
Stapleford Abbots |
|-------------|---|--|

8. Out of 2 **ENFORCEMENT NOTICE APPEALS** decided, 1 was dismissed and the other

quashed because it did not require planning permission. These are as follows:

Dismissed

ENF/0447/12	Change of use of land to include stationing of Caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank.	Valley View Curtis Mill Lane Stapleford Abbots
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Quashed

ENF/0289/13	Fence adjacent to a road over 1 metre high	41 The Gables, Ongar
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Costs

9. During this period, no costs were awarded and concluded, against the Council.

Conclusions

11. Whilst performance in defending appeals at 36.8% appears high, there is no national comparison of authority performance. Members are reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and necessary, but also sound and defensible so as to avoid paying costs. This is more important now than ever given a Planning Inspector or the Secretary of State can award costs, even if neither side has made an application for them. Whilst there is clearly pressure on Members to refuse in cases where there are objections from local residents, these views (and only when they are related to the planning issues of the case) are one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

12. Finally, at a previous request from Planning Services Scrutiny Standing Panel, appended to this report are the 9 appeal decision letters, which are the result of Members reversing the planning officer's recommendation (and therefore refusing planning permission) at planning committees, 1 of which was dismissed and therefore refused planning permission.

13. A full list of appeal decisions over this six month period appears below.

Total Appeal Decisions 1st October 2014 to 31st March 2015

Allowed

Buckhurst Hill

1	EPF/0543/14	Elevated timber playhouse (retrospective application)	9 Little Plucketts Way
2	EPF/1247/14	Retrospective application for new extraction system to the rear of the property.	69 Queens Road
3	EPF/1248/14	Part one and part two storey rear extension, first floor side extension, and enlargement of roof with rear second floor dormer window.	18 Stradbroke Grove

Epping

4	EPF/1093/14	Change of use of existing unit to A2.	134 - 136 High Street
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High Ongar

5	EPF/0794/14	Grade II listed building application for single storey extension to rear. (Revised application to EPF/2674/13)	Wythams Chelmsford Road
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Lambourne

6	EPF/2322/13	Demolition of existing dwelling and erection of replacement dwelling (Revised application to EPF/0803/13)	44 Hoe Lane Abridge
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Loughton

7	EPF/2009/13	New semi detached house and alterations to existing dwelling. (Revised application)	Land adjacent to 20 Ollards Grove
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8	EPF/2153/14	Demolition of existing garage and replacement two storey side extension and front porch (Amended application)	1 Pyrles Lane
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North Weald Bassett

9	EPF/0877/13	Retrospective application for the change of use of existing menage for the parking/storage of vehicles and plant machinery in connection with established recycling business.	Marlow High Road
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Theydon Bois

10	EPF/1455/14	Loft conversion forming front and rear dormers including hip to gable and removal of existing rear pitched roof to form flat roof with lantern over existing kitchen.	16 Orchard Drive
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11	EPF/1456/14	Proposed single storey rear extension and new rooms in roof with front and rear dormers.	18 Orchard Drive
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12	EPF/2610/13	Installation of lights to Court 3 incorporating a total of 4 Columns and 4 Lamps - lights to be used 3 nights a week till 9.30pm.	Theydon Bois Lawn Tennis Club, Sidney Road
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Part Allowed

Chigwell

13	EPF/1242/14	Retrospective planning application for a garage, new wall and wrought iron fencing	3a Lyndhurst Rise
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North Weald Bassett

14	EPF/0868/13	Retrospective application for the change of use of land for storage, sorting, distribution, recycling (crushing and screening) of concrete, hardcore, Tarmac and screen waste together with stationing of related plant and machinery.	Marlow High Road
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Dismissed

Chigwell

15	EPF/1003/14	Two storey side extensions to both sides and extend and raise roof.	Station House 114 High Road
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16	EPF/1466/14	Demolition of existing stables and warehouse and erection of 6 detached residential dwellings.	The Paddock Grove Lane
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(Revised application to EPF/2188/13)

Epping

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|----|-------------|---|---------------------------|
| 17 | EPF/1599/14 | Addition of 1 x no. 2 bed dwelling above existing listed outbuildings accessed via proposed walkway from existing staircase. | 220 High Street |
| 18 | EPF/1628/14 | Grade II Listed Building application for addition of 1 x no. 2 bed dwelling above existing listed outbuildings accessed via proposed walkway from existing staircase. | 220 High Street |
| 19 | EPF/2365/13 | Single storey garden room to rear elevation and alterations. | Forest Lodge
Wood Mead |
| 20 | EPF/2366/13 | Grade II listed building consent for single storey garden room to rear elevation and alterations | Forest Lodge
Wood Mead |

High Ongar

- | | | | |
|----|-------------|--|-----------------------------|
| 21 | EPF/2238/13 | Outline planning permission for a single dwelling with four or more bedrooms and double garage | Orchard
Old Wythers Farm |
|----|-------------|--|-----------------------------|

Lambourne

- | | | | |
|----|-------------|--|----------------------------|
| 22 | EPF/0301/14 | Demolish existing house and erect one chalet bungalow and two detached houses. | The Rectory
39 Hoe Lane |
|----|-------------|--|----------------------------|

Loughton

- | | | | |
|----|-------------|--|------------------|
| 23 | EPF/0278/14 | Two storey side and single storey rear extension with roof window, loft conversion with rear dormer window and external render and new | 57 Chequers Road |
| 24 | EPF/1537/14 | Provision of one bedroom flat within enlarged roofspace of existing restaurant. | 13 Forest Road |

Nazeing

- | | | | |
|----|-------------|-------------------------------------|--------------------------|
| 25 | EPF/1567/14 | New proposed detached granny annex. | Hawthorns
Paynes Lane |
|----|-------------|-------------------------------------|--------------------------|

Roydon

- | | | | |
|----|-------------|---|--------------------------|
| 26 | EPF/1358/14 | Side extension and raised roof to form a chalet bungalow. | Charfield
Epping Road |
| 27 | EPF/1359/14 | Extensions and raised roof to create a 2 storey dwelling. | Charfield
Epping Road |

Stapleford Abbotts

- | | | | |
|----|-------------|---|--------------------------------------|
| 28 | EPF/1996/12 | Part retrospective application for the change of use of land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank. | Valley View
Curtis Mill Lane |
| 29 | EPF/0964/13 | Outline application to demolish office, boiler house and glasshouses and erect six detached dwellings with garages, | Esperanza Nursery
Stapleford Road |

Theydon Bois

- | | | | |
|----|-------------|--|------------------|
| 30 | EPF/1267/14 | Loft conversion (raised) with extension to existing loft, two and single storey rear extension and | 31 Piercing Hill |
|----|-------------|--|------------------|

conversion of garage to gym. Extension and raising of roof to provide increased accommodation at second floor level, with 3 front and 3 rear dormer windows, together with the erection of a part 1, part 2 and part 3 storey extension.

31	EPF/1305/14	Erection of ground floor side extension to accommodate garage and lounge.	66 Morgan Crescent
32	EPF/1593/14	Erection of agricultural storage barn in south west of field, on land to the east of Broadlawn in connection with christmas tree business,	Land at Coopersale Lane
33	EPF/1639/14	Prior approval application for two 8 metre deep conservatories, height to eaves 2 metres and maximum height 3.95 metres.	Granville 119 Theydon Park Road
Waltham Abbey			
34	EPF/0349/14	Single storey rear conservatory extension.	Bradley Barn Holyfield Farm Crooked Mile
35	EPF/0870/14	Two storey side extension with single storey rear extension.	214 Upshire Road
36	EPF/1914/14	Proposed three bedroom house with two parking spaces. Resubmission of EPF/0730/14 (Detached dwelling house, garage and ancillary parking and garden area).	Land adjacent 1 The Cobbins
37	EPF/2097/14	New single storey detached garage.	11 Farthingale Lane
38	EPF/0350/14	Grade II listed building application for a single storey rear conservatory extension.	Bradley Barn Holyfield Farm Crooked Mile