

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 9th September, 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, 9th September, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Jackie Leither(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

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;
2. Members are reminded of the need to activate their microphones before speaking; and
3. The Chairman will read the following announcement:

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

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

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

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

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 18)

To confirm the minutes of the last meeting of the Sub-Committee held on 12 August 2015 as a correct record.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

7. DEVELOPMENT CONTROL (Pages 19 - 104)

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

Background Papers:

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

8. EXCLUSION OF PUBLIC AND PRESSExclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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



Cllr Jones
Theydon Bois

Cllr Keska
Chipping Ongar,
Greensted and
Marden Ash

Cllr Avey
Epping
Hemnal

Cllr Bedford
Shelley

Cllr Boyce
Moreton and
Fyfield



Cllr Brady
Passingford

Cllr Breare-Hall
Epping
Lindsey and
Thornwood
Common

Cllr Church
Epping
Lindsey and
Thornwood
Common

Cllr Grigg
North Weald
Bassett

Cllr McEwen
High Ongar,
Willingale and
the Rodings



Cllr Morgan
Hastingwood,
Matching and
Sheering Village

Cllr Philip
Theydon
Bois

Cllr Rolfe
Lambourne

Cllr Stallan
North Weald
Bassett

Cllr Surtees
Chipping Ongar,
Greensted and
Marden Ash



Cllr Waller
Lower
Sheering

**Cllr
Whitbread**
Epping Lindsey
and Thornwood
Common

**Cllr J H
Whitehouse**
Epping
Page 7

**Cllr J M
Whitehouse**
Epping
Hemnal

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 12 August 2015
East

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

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

Other Councillors:

Apologies: Councillors M McEwen and J Philip

Officers Present: S Solon (Principal Planning Officer), R Perrin (Democratic Services Officer) and G J Woodhall (Senior Democratic Services Officer)

15. 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.

16. 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.

17. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 July 2015 be taken as read and signed by the Chairman as a correct record subject to the following change:

Councillor Stallan did not declare an interest in EPF/0864/15 – The Railway Hotel, Station Road, Sheering.

18. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors N Avey and T Church declared a non-pecuniary interest in the following item of the agenda by

virtue of being a member of Epping Town Council. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1324/15 – 3 Bury Road, Epping.

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

- EPF/0933/15 – 6A Palmers Hill, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a non-pecuniary interest in the following items of the agenda by virtue of an objector being customers of his. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1008/15 – Saint Clements, Vicarage Lane West, North Weald; and
- EPF/1440/15 – Rear of 21 Princes Close, North Weald.

(d) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of both applicant and objector being known to him. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1324/15 – 3 Bury Road, Epping

(e) Pursuant to the Council's Code of Member Conduct, Councillor N Bedford declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1324/15 – 3 Bury Road, Epping

(f) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a non-pecuniary interest in the following item of the agenda by virtue of being a member of the Town Council that owns and manages the land adjacent to this site. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0933/15 – 6A Palmers Hill, Epping.

19. ANY OTHER BUSINESS

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

20. DEVELOPMENT CONTROL

RESOLVED:

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

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0933/15
SITE ADDRESS:	6A Palmers Hill Epping Essex CM16 6SG
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Proposed conversion of existing garage to granny annexe with raising of roof and facade alteration.
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.

Report Item No: 2

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
DESCRIPTION OF PROPOSAL:	Erection of timber framed office/workshop/store, summerhouse, poolhouse and pool
DECISION:	Refuse Permission

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

Reasons for Refusal

- 1 By reason of their cumulative volume, together with their height and massing, the proposed outbuildings would result in a disproportionate enlargement of the built form within the curtilage of Saint Clements. The proposal is therefore inappropriate development in the Green Belt and would also cause significant harm to the openness of the Green Belt. Accordingly, the proposal is contrary to Local Plan and Alterations policies GB2A and GB7A, which are consistent with the National Planning Policy Framework.

Way Forward

Members considered their objections may be overcome by an alternative proposal for fewer and smaller outbuildings.

Report Item No: 3

APPLICATION No:	EPF/1130/15
SITE ADDRESS:	26 Fyfield Road Ongar Essex CM5 0AJ
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Application for variation of condition 2 'opening hours' on planning application EPF/2190/12 to allow the premises to operate between the hours of 11am and 9pm Monday to Saturday (Closed on Sundays & Bank Holidays).
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=575935

CONDITIONS

- 1 The unit shall not be open to customers outside the hours of 11:00am - 9:00pm Monday to Saturday and shall be closed on Sundays and Bank Holidays.

Report Item No: 4

APPLICATION No:	EPF/1324/15
SITE ADDRESS:	3 Bury Road Epping Essex CM16 5ET
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Two storey extension over existing building, ground floor extension (porch) and internal alterations. (Revised application)
DECISION:	Refuse Permission

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=576648

Reasons for Refusal

- 1 By reason of its height, bulk and siting in close proximity to the rear elevation of 24a Lower Bury Lane, the proposed development would appear excessively overbearing when seen from rear elevation rooms and the rear garden of 24a Lower Bury Lane. It would also cause an excessive loss of light to 24a Lower Bury Lane. The proposal would therefore cause very significant harm to the living conditions of 24a Lower Bury Lane, which cannot be mitigated by planning conditions. Accordingly the proposal is contrary to Local Plan and Alterations policy DBE9, which is consistent with the National Planning Policy Framework.

Way Forward

Members considered a revised proposal of significantly reduced scale that was sensitive to the living conditions of 24A Lower Bury Lane may overcome their objections.

Report Item No: 5

APPLICATION No:	EPF/1328/15
SITE ADDRESS:	Esperanza Nursery Stapleford Road Stapleford Abbots Essex RM4 1EJ
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Outline application to demolish all buildings, clear site and erect 3 chalet bungalows. (Access and layout to be determined).
DECISION:	Withdrawn from Agenda

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=576655

This item was withdrawn from the agenda following a High Court judgement with significant planning policy consequences in order to allow for discussion of the new policy position with the applicant and an appropriate reappraisal of the proposed following such discussion.

Report Item No: 6

APPLICATION No:	EPF/1440/15
SITE ADDRESS:	Rear of 21 Princes Close North Weald Essex CM16 6EN
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of single storey dwelling.
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=576976

Members decided to defer making a decision on this application in order that the sub-committee can inspect the application site. Members also wished to view the site from 18, 19 and 22 Cunningham Rise and from 22 Princes Close if they were permitted to do so by the owners/occupiers of those properties.

AREA PLANS SUB-COMMITTEE 'EAST'

9 September 2015

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/0459/15	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW	Grant Permission (with Conditions)	22
2	EPF/0874/15	Sylvan 40 Hoe Lane Lambourne Romford Essex RM4 1AU	Grant Permission (with Conditions)	28
3	EPF/0878/15	Stanway 42 Hoe Lane Lambourne Romford Essex RM4 1AU	Grant Permission (with Conditions)	32
4	EPF/1194/15	The Stables Moreton Bridge Moreton Ongar Essex CM5 0LL	Grant Permission (with Conditions)	36
5	EPF/1339/15	45 Upland Road Epping Upland Epping Essex CM16 6NJ	Grant Permission (with Conditions)	44
6	EPF/1365/15	Graylands Threshers Bush Matching Essex CM5 0EB	Grant Permission (with Conditions)	52
7	EPF/1399/15	15 Bell Common Epping Essex CM16 4DY	Grant Permission (with Conditions)	56
8	EPF/1440/15	Rear of 21 Princes Close North Weald Essex CM16 6EN	Grant Permission (with Conditions)	64

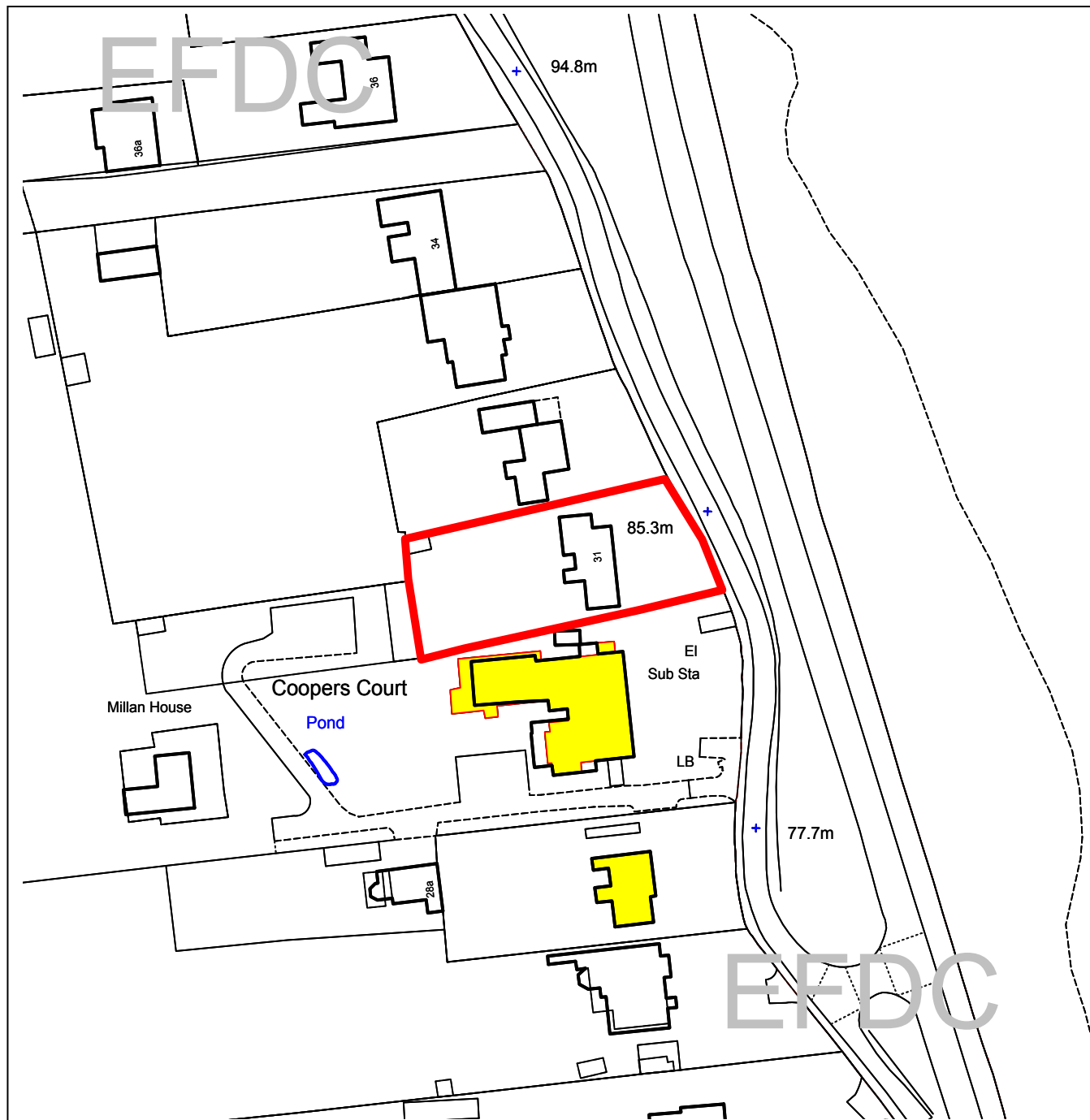
9	EPF/1529/15	Land Adj. to 71 Centre Drive Epping Essex CM16 4JF	Grant Permission (with Conditions)	72
10	EPF/1531/15	Garage Court North of 52 Stewards Green Road Epping Essex CM16 7DA	Grant Permission (with Conditions)	80
11	EPF/1536/15	North Weald Golf Club Rayley Lane North Weald Bassett Epping Essex CM16 6AR	Grant Permission (Subject to Legal Agreement)	88

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/0459/15
Site Name:	31 Piercing Hill, Theydon Bois Epping, CM16 7JW
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0459/15
SITE ADDRESS:	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Barry & Barbara Houghton
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).
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=574038

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.

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

This application was deferred from the Sub Committee on 17th June 2015 to enable members to carry out a site visit. The original report is reproduced below.

Description of Site:

A detached two storey house set back on generous plot on the west side of Piercing Hill. The house lies in the Green Belt but is located in a long enclave of houses and flats just to the north of Theydon Bois. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Raising of height of roof and provision of 3 dormer windows at the front and three to the rear, erection of a part one, part two, and part three storey rear extension, and conversion of garage into a gym. (Revision of planning permission EPF/2150/11)

Relevant History:

EPF/1169/08 Approval granted for 3 and 2 storey rear extension, including raising of roof and 2 dormer windows to front.

EPF/2087/08 - Approval for a 2 and 3 storey rear extension, raise main roof and internal alterations (amendment to EPF/1169/08 to extend attic floor and increase size of side dormer)

EPF/2150/11 – Approval given to 3 year extension of time to previous planning permission EPF/2087/08. A start has been made on this approval and it therefore remains extant, and can be completed at any time.

EPF/1267/14 – Refusal for the erection of a part 1, part 2, and part 3 storey rear extension, together with raising of roof and provision of additional accommodation at second floor level. The application was refused because the rear extension proposed was slightly larger than that approved by EPF/2150/11. An appeal was lodged and the inspector dismissed the appeal on grounds that the size and height of the rear extension would reduce daylight and outlook to occupants of flats in the adjoining Coopers Court at no. 30.

Policies Applied:

DBE9 – Loss of amenity

DBE10 – Residential extensions.

GB2A – Development in the Green Belt

National Planning Policy Framework

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – object – the proposal fails to overcome the reasons for refusal of the previous application to extend this property. The height and bulk of the proposed rear extension would have a severe impact on daylight, privacy, and outlook from the nearest habitable rooms in Coopers Court, with potential overlooking from windows on the flank wall.

NEIGHBOURS - 17 consulted and 4 replies received:-

13, COOPERS COURT -This substantial extension would remove light to light to flats in Coopers Court, would impact on privacy of these flats , it amounts to overdevelopment and will require removal of trees.

12, COOPERS COURT – Object – the proposal would affect sunlight to my apartment, and unless all south facing windows are fully obscured it would reduce my privacy.

8, COOPERS COURT – Object – the development is too close to the boundary with Coopers Court, the extension is large and its size is 'increased' by Coopers Court being on lower land, it would affect light to my flat, and the development would be unsightly and obtrusive.

102-104 QUEENS ROAD BUCKHURST HILL – freeholder of Coopers Court – object - any further extension of this property would have an unacceptable effect on the living conditions of occupiers of Coopers Court contrary to policy DBE9 designed to protect amenity of neighbours. It is also contrary to the NPPF.

EFDC TREES AND LANDSCAPE SECTION - no objections subject to a condition (SCN66) being proposed requiring details of tree protection to be submitted and approved.

Issues and Considerations:

Foundation works commenced last year on the development allowed by EPF/2150/11 – hence this development can be completed. The applicant however does wish to vary this approval, principally through the incorporation of one additional front dormer window and 3 rear facing dormer windows. These dormer windows have an acceptable design and profile, and, because they face frontwards over the road, and rearwards over the rear garden, they do not give rise to any loss of privacy issues.

The main consideration raised by this current application is whether amendments to the part 1, part 2, and part 3 storey extension improves or worsens its relationship with the flats in Coopers Court to the immediate south. Two side facing dormer windows are excluded from the current scheme and this reduces the bulk and vertical height of this section of the extension. In addition while there is a slight sideways extension at ground floor this is more than compensated for by setting back of the flank wall of the extension at first floor level. In other respects the extension remains the same. Given that these two revisions reduce the impact of the extension, and that the previous approval EPF/2150/11 can be built, it would be somewhat illogical to refuse this amended scheme.

Side facing windows at first floor level will be obscured glazed to avoid overlooking, and this requirement will be reinforced by a condition.

Comments on representations received:-

The objections received are similar to those received on application EPF/1627/14. This application was refused on grounds of its adverse effect on light and outlook to Coopers Court because it proposed a slightly deeper extension than that approved under EPF/2150/11. However the latter approval can be implemented and given that the amendments proposed reduce its effect on Coopers Court the current application is regarded as acceptable.

One objection relates to loss of protected trees. However protected trees in the rear garden lie well away from the proposed extension, and will not directly be affected. However, these trees and others on the site will need to be protected from potential damage from construction activities and storage of building materials, and this issue will be covered by the condition requested by the Trees and Landscape section.

Conclusions:

For the reasons set out above it is recommended 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: David Baker
Direct Line Telephone Number: 01992 564514***

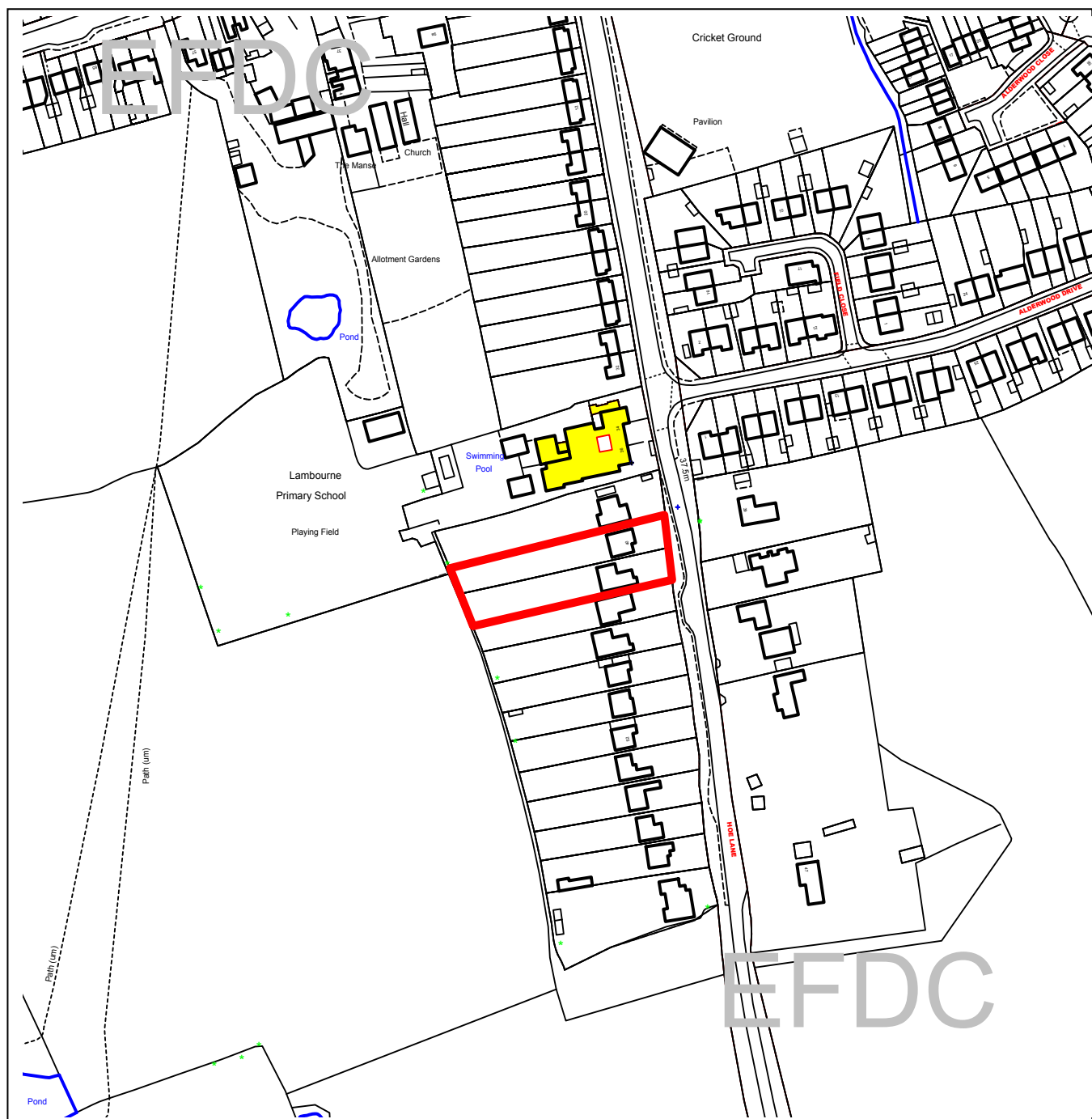
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Numbers 2 & 3



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Application Number:	EPF/0874/15
Site Name:	Sylvan & Stanway 40 & 42 Hoe Lane, Lambourne, RM4 1AU
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/0874/15
SITE ADDRESS:	Sylvan 40 Hoe Lane Lambourne Romford Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr James Phillips
DESCRIPTION OF PROPOSAL:	Outbuilding for ancillary use of 40 and of 42 Hoe Lane.
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=575153

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 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.

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

Description of Site:

The application site consists of two two-storey detached houses fronting Hoe Lane. The application site is part of the settlement of Abridge though fields immediately to the west, beyond the rear boundary, are within the Green Belt. The properties are not Listed nor in a Conservation Area.

Description of Proposal:

The application seeks planning permission for an outbuilding for ancillary use of 40 and of 42 Hoe Lane.

The outbuilding would be in the rear gardens of the two houses, straddling the side boundary between them. The outbuilding would therefore have a semi-detached form, one half of the building on the side of the rear garden to no. 40, the other half on the side of no. 42.

The outbuilding would be 16.7m long by a maximum of 10m wide. The outbuilding would have a very shallow sloping roof some 3m in height to the ridge, some 2.5m to the eaves. The outbuilding would be symmetrical in design, including its floor plan, with each side of the building accommodating a cinema/sun room, a gymnasium and a shower-room.

The application is identical to EPF/0978/15 which is also on this agenda.

Relevant History:

40 Hoe Lane

EPF/1983/08 - Demolition of existing dwelling and erection of replacement dwelling. (Revised application) – Granted 17/12/2008

EPF/0734/09 - Amendment to EPF/1983/08, erection of two storey new detached dwelling. – Granted 10/07/2009

EPF/1369/09 - Existing outbuilding to be used as gymnasium and garden storage within rear garden. – Granted 21/09/2009

EPF/2087/09 - Amendment to planning approval EPF/0734/09, erection of two storey new detached dwelling. – Granted 22/12/2009

42 Hoe Lane

EPF/2084/09 - Proposed demolition of existing dwelling and erection of replacement dwelling. (Revised application.) – Granted 22/12/2009

EPF/0791/11 - Proposed demolition of existing dwelling and erection of replacement dwelling. - Revised application. – Granted 06/07/2011

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE1	Design of New Buildings
DBE9	Loss of Amenity
LL10	Adequacy for the Provision of Landscape Retention

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

Summary of Representations:

3 Neighbouring properties have been notified.

LAMBOURNE PARISH COUNCIL: The Parish Council strongly objects to these applications, as it has concerns that the structures will be used for commercial use in a domestic garden and in addition, we accept the views of the arboriculturist report.

TREES & LANDSCAPE TEAM: We have NO OBJECTION to the granting of this application. It is noted that the TPO'd oak at the rear of the site has fallen. We will take its replacement through via the issuing of a replacement tree notice.

As such we have no tree or landscape issues in connection with this application.

Issues and Considerations:

Permitted Development rights for Classes A and B have been removed from both houses that have gardens where the outbuilding would be set. However, Permitted Development rights for Class E, which relates to outbuildings, have not been removed. Nevertheless, the building would be within 2m of the boundary, being on the boundary, and exceed 2.5m in height. Accordingly, planning permission is required.

The Trees and Landscape Team had initially objected to the application but, following severe weather, a tree, which was in proximity to the proposed outbuilding, fell. The tree was deemed unsafe and was removed.

The main issues that arise with this application are design and the potential adverse impact to neighbouring properties.

Design

The proposal is for a large outbuilding within rear gardens but the scale of the proposed outbuilding is considered acceptable within gardens of the sizes involved. The design of the building is relatively standard and considered generally acceptable.

The outbuilding would be close to the Green Belt boundary but it is considered that the outbuilding would not be conspicuous from within the Green Belt. The outbuilding would not have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt.

Neighbouring amenity

The proposal is to be located some 8m from the side boundary with no. 44 and some 7m from the side boundary with no. 38. The outbuilding would be some 40m down the rear garden from the rear elevations of dwellings on adjoining plots. The proposal backs onto an agricultural field. Given the substantial distances that the outbuilding would be set away from neighbouring properties, it is considered that the proposal would not impact on the occupiers of neighbouring properties to a degree sufficient to justify refusal.

Conclusion:

The proposal is considered acceptable in design terms, including affect to the openness of the Green Belt, and impacts to neighbouring amenity are not to a significant degree required to justify refusal. The proposals are akin to many considered appropriate throughout the District and accordingly Officers recommend approval.

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

Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 574103

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

Report Item No: 3

APPLICATION No:	EPF/0878/15
SITE ADDRESS:	Stanway 42 Hoe Lane Lambourne Romford Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr James Phillips
DESCRIPTION OF PROPOSAL:	Outbuilding for ancillary use of 40 and of 42 Hoe Lane.
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=575157

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 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.

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

Description of Site:

The application site consists of two two-storey detached houses fronting Hoe Lane. The application site is part of the settlement of Abridge though fields immediately to the west, beyond the rear boundary, are within the Green Belt. The properties are not Listed nor in a Conservation Area.

Description of Proposal:

The application seeks planning permission for an outbuilding for ancillary use of 40 and 42 Hoe Lane.

The outbuilding would be in the rear gardens of the two houses, straddling the side boundary between them. The outbuilding would therefore have a semi-detached form, one half of the building on the side of the rear garden to no. 40, the other half on the side of no. 42.

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The application is identical to EPF/0874/15 which is also on this agenda.

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EPF/0791/11 - Proposed demolition of existing dwelling and erection of replacement dwelling. - Revised application. – Granted 06/07/2011

Policies Applied:

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DBE1	Design of New Buildings
DBE9	Loss of Amenity
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Neighbouring amenity

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Conclusion:

The proposal is considered acceptable in design terms, including effect on the openness of the Green Belt, and impacts to neighbouring amenity are not to a significant degree required to justify refusal. The proposals are akin to many considered appropriate throughout the District and accordingly Officers recommend approval.

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

Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 574103

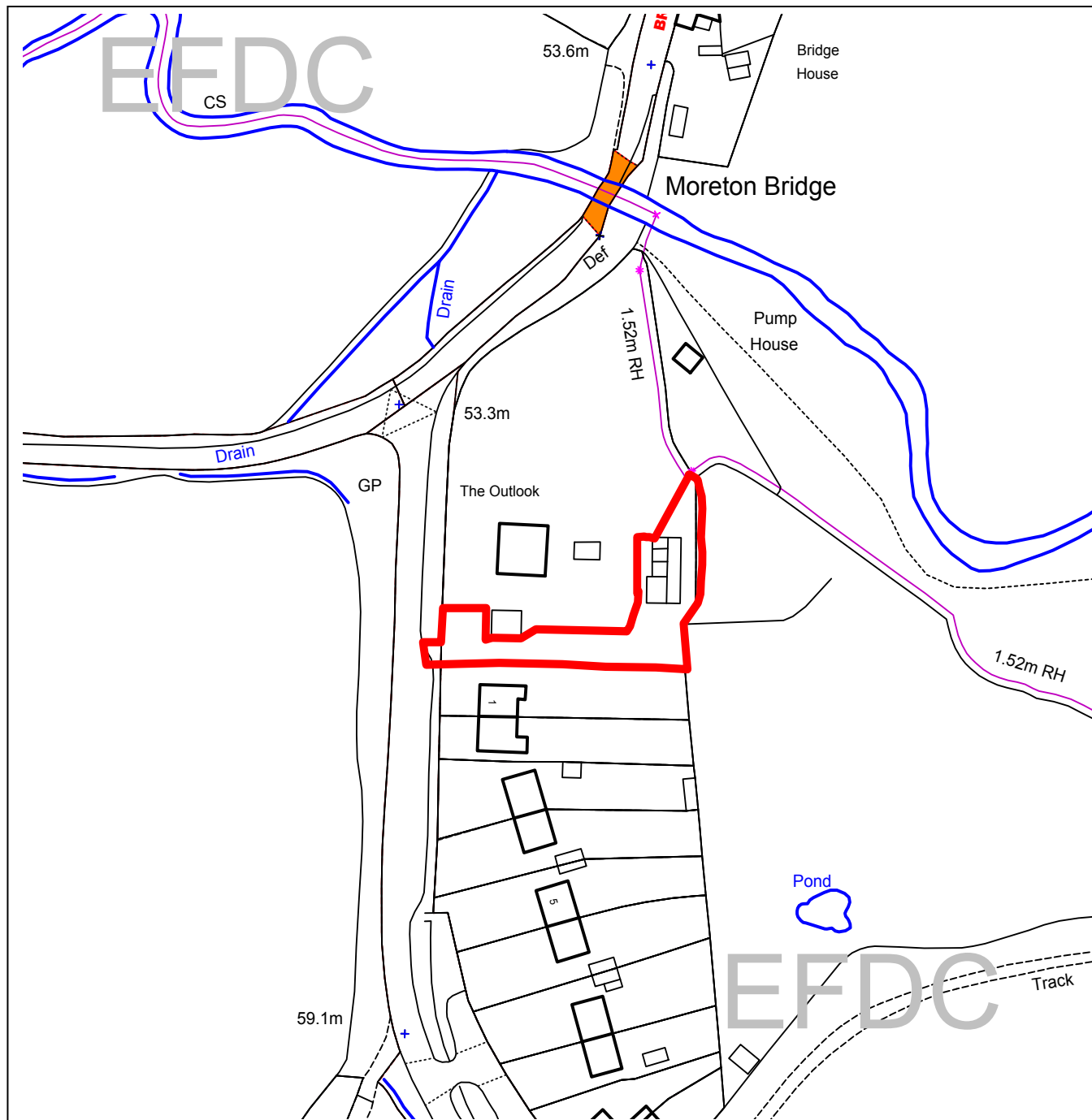
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/1194/15
Site Name:	The Stables, Moreton Bridge Moreton, Ongar, CM5 0LL
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1194/15
SITE ADDRESS:	The Stables Moreton Bridge Moreton Ongar Essex CM5 0LL
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Julie Parmenter
DESCRIPTION OF PROPOSAL:	Continued use of the stables as a single 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=576314

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved Location Plan, Site Plan and drawing no: 2964
- 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, D or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 3 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 The ground levels of the building shall be a minimum either 300 millimetres above the general ground level of the site or 600 millimetres above the estimated river or sea flood level, whichever is the higher. Should the ground levels of the building not comply with these measurements then details of suitable flood resistance and resilience works shall be submitted to and agreed in writing by the Local Planning Authority.
- 5 Within three months from the date of this decision an emergency escape plan for the site shall be produced and provided to the occupants of the site.
- 6 Within three months from the date of this decision, a protocol for a Phase 1 investigation shall be submitted to and approved in writing by the Local Planning Authority. Investigations shall thereafter be undertaken in accordance with the approved protocol and a 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.

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

Description of Proposal:

Consent is being sought for the continued use of the former stables as a single dwelling house. The existing building is proposed for the continued use as a one bed separate dwelling containing a kitchen, separate living room/interview room, and a bathroom. The building also contains an externally accessed store and kennel/dog run. The dwelling benefits from a separate vehicle access and area of amenity space.

Description of Site:

The application site relates to a detached stable building to the rear of the chalet bungalow known as The Outlook, which benefitted from a separate detached annex building that is now lawfully in use as a separate dwelling. The donor property is the last dwelling in a small linear enclave of residential properties that are separated off from the main village of Moreton.

To the rear of the site is a paddock area. The site is located within the Metropolitan Green Belt and both an Environment Agency Flood Zone 2 and 3. However the building only falls within Flood Zone 2.

Relevant History:

EPF/2410/07 - Two single storey extensions, single storey extension to annexe and new garage – refused 04/01/08
CLD/EPF/0039/09 - Certificate of lawful development for proposed single storey rear extension – lawful 16/02/09
EPF/0040/09 - Single storey rear extension – approved/conditions 16/02/09
CLD/EPF/0041/09 - Certificate of lawfulness for proposed single storey side extension – lawful 16/02/09
EPF/0988/09 - Certificate of lawfulness for proposed two bay cart lodge – lawful 28/07/09
EPF/1148/12 - Single storey rear extension – approved/conditions 02/08/12
EPF/2029/14 - Extension of existing annex, change of use to separate single dwelling and curtilage to include minor ancillary works – refused 21/10/14
CLD/EPF/0454/15 - Certificate of lawful development for the existing use of the outbuilding known as The Annex as a single dwelling house – lawful 30/04/15
EPF/0671/15 - Provision of factory finished proprietary dog kennels and runs for use in conjunction with existing dual purpose building to effect improvement of animal welfare provisions to meet CIEH model licence conditions and guidance for dog breeding – withdrawn 15/05/15

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP9 – Sustainable transport
GB2A – Development in the Green Belt
GB8A – Change of use or adaptation of buildings
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity

ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in flood risk areas

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

Consultation Carried Out and Summary of Representations Received:

2 neighbouring residents were originally consulted and no Site Notice was deemed to be necessary. However it appears that an error occurred and as a result the wrong properties were consulted (no's 5 and 7 Moreton Bridge). As such a 14 day reconsultation has been sent to the adjoining neighbours (no's 1-4 inclusive). This report has been produced prior to expiration of this consultation period and therefore any additional comments received will be verbally reported to Members at the Committee.

PARISH COUNCIL – Object. The Moreton, Bobbingworth and the Lavers emerging Neighbourhood Plan Policy states:

Policy MBL 1.3 Redundant buildings

- a) Converting redundant buildings into new residential accommodation will be supported in principle, and applications will be considered on a case by case basis if it can be demonstrated the building is no longer usable for its original purpose and no longer economically viable (where applicable) for its previous use, and as long as
 - i. The building is substantial, permanent, and worthy of keeping

It is the general opinion that this application does not fulfill the criteria of Policy MBL 1.3. In addition, the property this stable falls within the grounds of has already had significant developments in the recent past. The bungalow was increased in size and converted into a chalet house by extension into the roof. The detached garage was converted into a house purported to be for an elderly relative to live in but the whole property was sold a short time after. This is another example of creeping development in the Green Belt.

Therefore, the Parish Council **objects** to this proposal on the grounds of overdevelopment in the Green Belt.

Main Issues and Considerations:

The key considerations in this application are the appropriateness of the development within the Green Belt, the suitability of the development in this location generally, amenity considerations and regarding highway issues.

Green Belt:

The application site is located within the Green Belt whereby the National Planning Policy Framework outlines forms of development that are 'not inappropriate' provided "*they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*". This includes "*the re-use of buildings provided that the buildings are of permanent and substantial construction*".

The former stable building is already being used as a residential dwelling and has been for some time. Therefore it is clearly of permanent and substantial construction. The site is already served

by a separate vehicle access and the amount of proposed amenity space would not extend beyond the neighbours gardens. As such it is not considered that the proposal would constitute inappropriate development in the Green Belt nor would it have any detrimental impact on the openness or the purposes of including land within the Green Belt.

Suitability of the site:

Concern has been raised by the Parish Council that this proposal, combined with other works on the site, would constitute overdevelopment. The donor property, known as The Outlook, originally benefitted from a detached annexe building to the south and this detached stable block to the rear (which was originally used in association with the large paddock area to the east).

The annexe building has recently obtained a Certificate of Lawful Development for its use as a separate dwelling. In addition a Certificate of Lawfulness was submitted in relation to the stable building. Whilst the submitted information clearly showed that the former stable building has been used for residential purposes since August 2008 this was not as a continuous separate dwellinghouse but was, at times, ancillary to The Outlook. As such the stables were not considered lawful as a separate residence.

Whilst the wider site, which previously contained a single residential dwelling, an annexe and a stables would now contain three separate residential dwellings these would all be formed from existing buildings and comply with the exceptions to inappropriate development as laid out within the NPPF. The wider site area owned by the applicant consists of a large plot that can easily accommodate the three dwellings, along with all associated parking and amenity space. As such it is not considered that the proposal would result in an 'overdevelopment' of this site.

With regards to the sustainability of the site, the site is not well served by public transport or local facilities. The bus services to the nearest towns of Harlow and Ongar are restricted in number, days and frequency and the facilities on offer in Moreton are extremely limited. Whilst this weighs against the proposed development the application is to retain a very small dwelling that contains an element of dog kennels and an interview room that would serve as the applicant's current dog breeding business. This use has been investigated by Planning Enforcement and is considered to be of a scale that is ancillary to the residential use of the wider site. The small scale of the dwelling and the fact that the applicant would not need to travel to work would ensure that, in this particular instance, the location of the site is considered acceptable in terms of sustainability.

Amenity considerations:

The existing building is currently being used as a separate dwelling with a small scale ancillary business being run from the site. Furthermore the site has been used for a variety of residential purposes since August 2008. With the exception of a complaint received in 2014, which was not from any of the immediately adjoining neighbours, the current use appears to have been operating for some time without causing any nuisance to neighbouring residents. The stable building is located to the rear of The Outlook approximately 13m from the shared boundary with No. 1 Moreton Bridge and some 32m from the neighbouring dwelling. As such it is considered that the retention of this residential use would not cause any significant harm to the amenities of the neighbouring residents.

The access road is an existing access that would have previously served the stables when lawfully used for horsekeeping and therefore the residential traffic utilising this has no greater impact on the amenities of the neighbour than the lawful use of the site.

The existing site shows no delineation between the residential garden and the adjacent part of the paddock to the east, however the application only proposes the immediately adjacent 230m² parcel of land for use as residential curtilage. This would exceed the recommended minimum

amenity space standards as laid out within policy DBE8 and the Essex Design Guide and would not extend beyond the extent of the neighbours' gardens.

Highways:

The existing building has been used for residential purposes for a number of years and utilises a long standing access road to gain access to the site. There is more than sufficient space on site to accommodate the required one off-street parking space and one visitor parking space and therefore there would be no detrimental impact on the highway.

Other matters:

Whilst the site falls within an Environment Agency Flood Zone 2 and 3 the building itself is only located within Flood Zone 2. Since the application relates to a change of use to a 'more vulnerable' use it is considered to be an appropriate development within Flood Zone 2, subject to the Standing Advice of the Environment Agency. This advice can be dealt with through the imposition of conditions.

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. The applicant is also proposing to dispose of foul sewage by package treatment plant. However, Council records show a public foul sewer in Pump Lane which, in accordance with Building Regulations Approved Document H, is the preferred method of foul sewage disposal. Therefore, despite the fact that the building is currently in use as a residential dwelling, further details are required for foul and surface water drainage, which can be dealt with by condition.

Due to the former use of the site as a Stables and the presence of a domestic waste Landfill Site 80m to the south, there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required for the site. As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of conditions.

The Parish Council have stated within their objection that this application does not fulfill the criteria of Policy MBL 1.3 of The Moreton, Bobbingworth and the Lavers emerging Neighbourhood Plan. Since this plan has not been adopted as part of the Local Plan process (and it is understood that the Planning Policy Section do not yet even have a final copy of this document) no weight can at this stage be given to this document.

Conclusion:

The proposed development is to retain the change of use of the existing building for residential purposes. The former stables have been used for residential purposes since 2008 and are utilising the existing structure and access and would utilise a modest area of land as residential curtilage. As such the proposal does not constitute inappropriate development harmful to the Green Belt.

Whilst the application site is not situated within a sustainable location it proposes the retention of a small single bedroom dwelling with an ancillary business and as such the harm from increased private vehicle movements would be insignificant.

The development does not detrimentally impact on neighbour's amenities or the public highway and would not be harmful to the overall character of the area. Therefore the proposal complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and the application is recommended for approval.

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

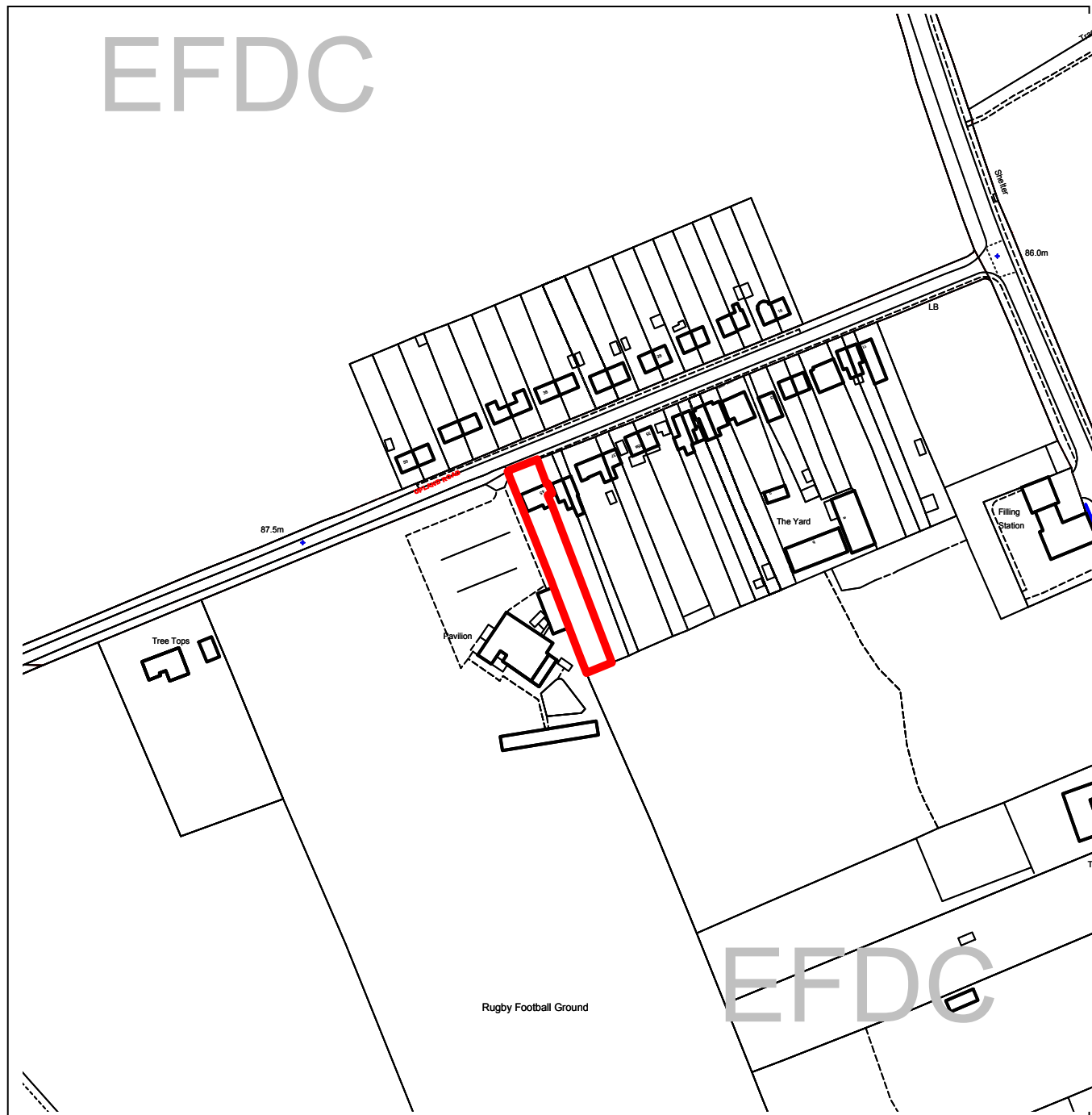
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1339/15
Site Name:	45 Upland Road, Epping Upland Epping, CM16 6NJ
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/1339/15
SITE ADDRESS:	45 Upland Road Epping Upland Epping Essex CM16 6NJ
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Mumin Ali
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and construction of a new replacement dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576677

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 Prior to first occupation of the development hereby approved, the proposed window opening in the northeast first floor flank elevation facing 43 Upland Road 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.
- 4 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.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above

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

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

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

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

- 10 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.

- 11 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1569/01, 1569/02, 1569/03, 1569/04C, 1569/05D, 1569/06B, 1569/07B, 1569/08C.

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:

Upland Road forms a ribbon of development on either side of the road within the boundaries of the Metropolitan Green Belt. The existing building is detached and has been extended previously. Gardens are long and narrow. There are a number of large trees to the rear adjacent to the boundary with the recently built dwelling at 47 Upland Road.

The dwelling is adjacent to a number of newly erected dwellings adjacent to Upper Clapton Rugby Club.

The road is typified by dwellings of varying size and design and age.

Description of Proposal:

Planning permission is sought for the demolition of the existing dwelling and erection of new replacement dwelling.

Relevant History:

EPF/0381/76 - Erection of two-storey garage and bedroom side extension – Approved
EPF/0482/00 - Two storey rear extension and front porch extension - Refused

Policies Applied:

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- GB2A – Development in the Green Belt
- GB7A – Conspicuous development
- GB15A – Replacement dwellings
- DBE1 – Design of new buildings
- DBE2 Detrimental effect on existing surrounding properties
- DBE8 Private amenity space
- DBE9 Loss of Amenity
- ST4 Highway safety
- ST6 Vehicle parking
- LL10 Adequacy of provision for landscape retention.
- LL11 Landscaping Schemes

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

Summary of Representations:

External

NORTH WEALD PARISH COUNCIL OBJECTS to this application on the grounds that the style of the new property is out of keeping with the visual characteristics of the properties in the area, it is overbearing and is also overdevelopment, there is concern at the height of the roof – as the overall impression of the property looks like it is 3 storeys

NEIGHBOURS

15 neighbours notified by letter and a site noticed displayed. No responses received.

Internal

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

LAND DRAINAGE – No objection subject to adding conditions relating to a flood risk assessment being submitted

LAND CONTAMINATION – No objection subject to an unexpected land contamination condition

Issues and Considerations:

The main issues to be addressed are:

- Green Belt
- Character and Appearance
- Living Conditions of neighbouring occupiers
- Third Party comments
- Other Issues

Green Belt

The application site is located within the Metropolitan Green Belt whereby the National Planning Policy Framework states that “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt*”, however provides the following exceptions (amongst others) in paragraph 89:

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*

The volume of the existing dwelling is approximately 615m³. The volume of proposed dwelling would be approximately 713m³ which represents an increase of 15% over and above the existing. This is not considered to be materially larger than the one it is replacing given also that the existing dwelling could be extended further under permitted development, increasing its footprint further.

Although an increase of approximately 600mm over the height of the existing dwelling is proposed, as can be seen from the streetscene elevation submitted it would be similar to the height of the neighbouring properties.

Furthermore, given that the dwelling is located within a relatively built up area it is considered that there would be no significant harm either to the open character of the green belt.

Therefore the proposal is considered to comply with policy GB2A, GB7A and GB15A of the adopted Local Plan (1998) and Alterations (2006) and paragraph 89 of the NPPF.

Design and layout:

The proposed new dwelling would replace the existing visually poor two storey extended property. Given the size of the plots and set back of the proposed first floor, it is not considered that the development would be unduly detrimental to the appearance of the street scene.

The overall design of the proposed dwelling is considered appropriate and would not dominate the plot. The dwellings within this linear enclave vary greatly in terms of the size and overall design and as such the proposal would not be harmful to the overall character of the area.

The height of the dwelling would be similar to those adjacent and the front dormers have been removed in order for the property to appear less dominant within the streetscene.

To the rear the side elevation adjacent to 43 Upland Road would follow the same building line as the existing dwelling.

A rear garden of sufficient size would be retained and adequate off street parking is provided.

The proposal would comply with policies CP2 and DBE1 of the adopted Local Plan (1998) and Alterations (2006)

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 size, position and orientation of the new 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 sense of enclosure.

The separation distance to adjoining dwellings ensures that the two side elevations that project beyond the rear of the nearest neighbouring properties rear elevations would not result in a material loss of outlook to those occupiers, at first floor level in the case of No. 43 Upland Road and at single storey level as is the case with No. 47 Upland Road.

Notwithstanding the introduction of two rear dormers, given the existing first floor rear windows, there is no greater level of overlooking than that which currently exists.

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

Third party representations

The material planning considerations raised by the Parish Council have been addressed in the body of the report above.

Other issues

The proposal would be in accordance with the Adopted Parking Standards in that it has provided more than enough off street parking to meet the needs of future residents.

The application was referred to the Council's Landscape Officer. There are several trees located to the rear of the site, however 3 are to be removed and one, the large Oak would be retained. A Tree Survey was submitted with the application and the Landscape Officer had no objections to the proposal subject to conditions requiring tree protection measures and further details regarding hard and soft landscaping.

The application was also referred to Council's Land Drainage Officer who stated that the development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. As such it is necessary that a condition requesting a flood risk assessment is submitted and approved by the Local Authority before any works commence on site.

There are no contamination issues subject to a condition addressing any potential unexpected contamination found on site.

Permitted Development Rights

The issue of permitted development rights has been considered as part of this application. General guidance on the issue outlines how the removal of such rights should be the exception rather than the rule. In this case it is not deemed necessary to remove this right to extend in the future. Limited extensions could be undertaken without excessive harm to the open character of the Green Belt, amenity of neighbours or aesthetic design of the building.

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 564337***

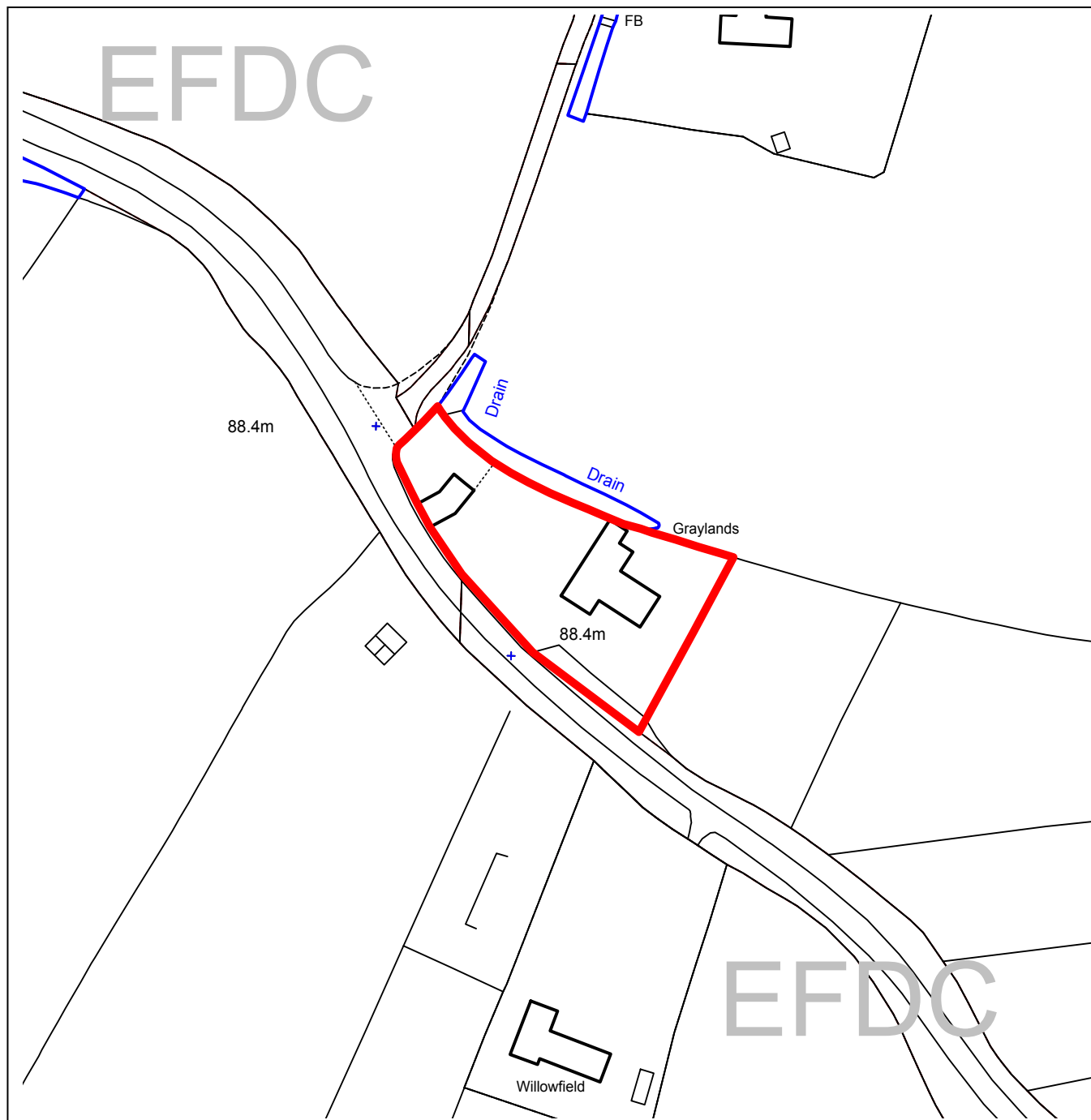
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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/1365/15
Site Name:	Graylands, Threshers Bush Matching, CM5 0EB
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1365/15
SITE ADDRESS:	Graylands Threshers Bush Matching Essex CM5 0EB
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr Matthew Pantlin
DESCRIPTION OF PROPOSAL:	Proposed 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=576797

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 as indicated on drawing number 7817-3 unless otherwise agreed and approved in writing by the Local Planning Authority.

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

Description of site

Graylands is located within a sporadic area of development within the boundaries of High Laver. The existing building is a relatively large two storey dwelling situated within a large plot. The site has a garage outbuilding to the north and a swimming pool within its boundaries. The application site is located within the boundaries of the Metropolitan Green Belt and it is not within a Conservation Area.

Description of proposal

The proposed development is for a single storey outbuilding to be used as a gymnasium.

Relevant History

No relevant history

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
DBE10 – Design of residential extensions
DBE2 – Effects to Adjoining Properties
DBE9 – Loss of Amenity

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

Consultation carried out and summary of representations received

2 Neighbours consulted –

FENNERS FARM – OBJECTION – The neighbour has objected on the grounds that the proposed building will be used as a garage and pose a danger to road safety.

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL – OBJECTION – The application will be an overdevelopment of the site and is inappropriate in the Green Belt.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the living conditions of the neighbours and the design of the proposal in relation to the existing building and its setting.

Green Belt

The outbuilding will have a footprint of 40 sq m, measuring 8m x 5m and a ridge height of 4.3m, far smaller than that of the existing dwelling. As such it will not appear disproportionate within the context of the site and will constitute a limited building within the Green Belt. Although the building will be detached from the main dwelling house, it will be akin to a 'limited extension' within the Green Belt and would not constitute inappropriate development.

Furthermore, the outbuilding will be of a reasonable size and height for an ancillary building within the Green Belt and will not cause excessive harm to its openness.

Neighbouring living conditions

There are no neighbours within close proximity of the site and therefore no harm will be caused to living conditions. A neighbour has objected to this scheme and raised concern about road safety. However the outbuilding is to be used as a personal gymnasium and in any case is set well within the boundaries of the site. It would not result in additional traffic movements or any hazard to highway safety.

Design

The building will be set forward of the principle elevation of the dwelling and therefore could appear somewhat prominent from public areas of the street scene. However, it is of a low height and is well screened by robust vegetation on the front boundary. As such the harm to the character of the street scene will be minimal. The materials proposed (black weatherboarding and plain tiles) are appropriate to the rural location.

Conclusion

The proposal does not constitute inappropriate development in the Green Belt. Had the building been just 30cm lower in height and located elsewhere within the plot it would have been permitted development. It will not harm neighbouring living conditions and the design is appropriate. Therefore it is recommended that the 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:

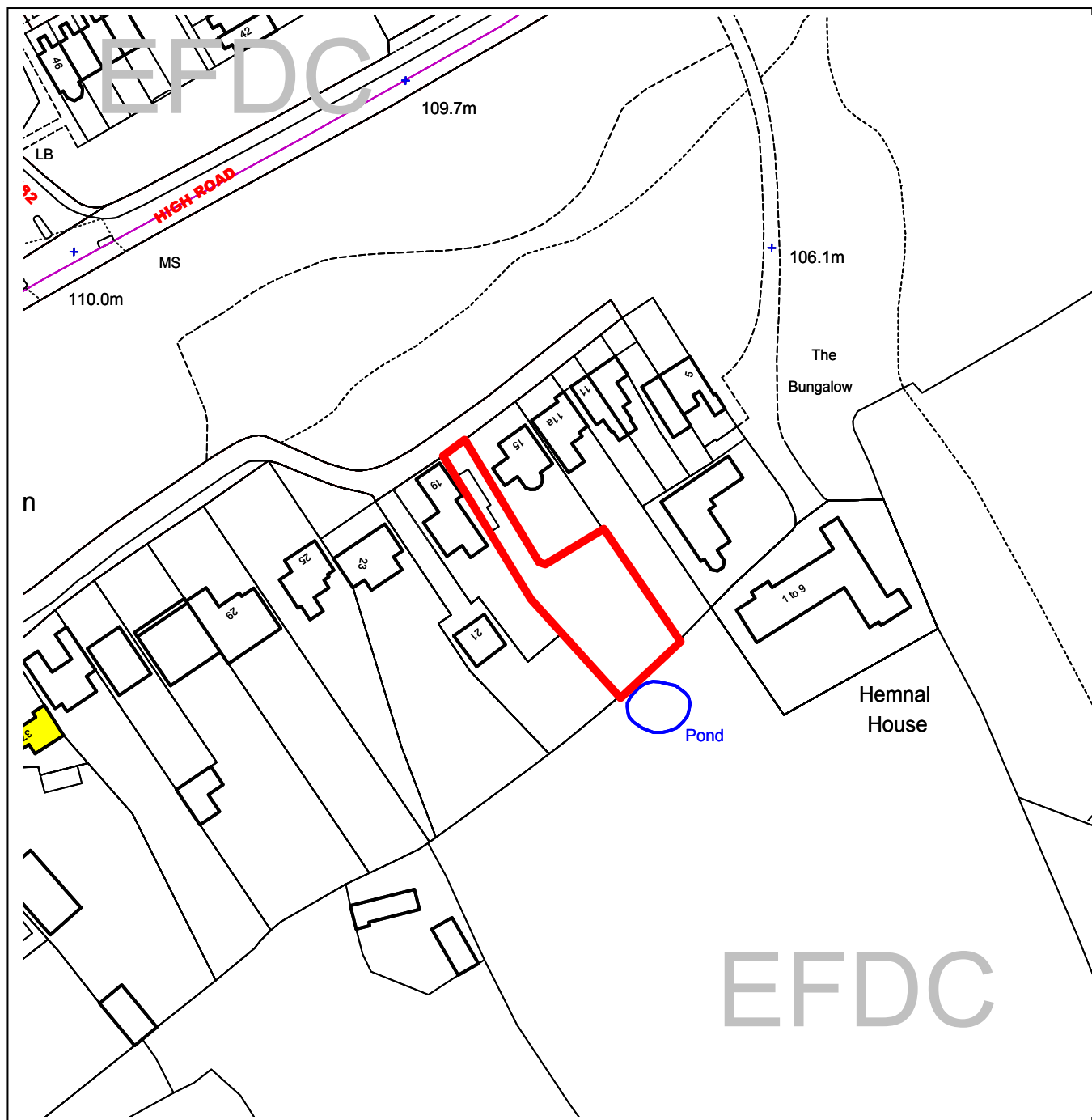
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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



Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/1399/15
Site Name:	15 Bell Common Epping, CM16 4DY
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/1399/15
SITE ADDRESS:	15 Bell Common Epping Essex CM16 4DY
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr & Mrs R Hipkin
DESCRIPTION OF PROPOSAL:	Conversion of existing annexe to separate dwelling, provision of car port, front canopy and rear decking.
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=576854

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: 773-EP01 Rev: B, 773-EP02 Rev: C, 773-EP03 Rev: A, 773-EE01 Rev: B, 773-EE02 Rev: A, 773-EE03 Rev: B, 773-PP01 Rev: G, 773-PP02 Rev: D, 773-PP03 Rev: B, 773-PE01 Rev: C, 773-PE02 Rev: D, 773-PE03 Rev: B
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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.
- 5 The parking and turning 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 and manoeuvring of residents and visitors vehicles.

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

Description of Proposal:

Consent is being sought for the change of use of the existing annexe to a separate dwelling. This would involve the provision of a car port, front canopy and rear deck. The existing annexe would be utilised as a three bed dwelling containing a combined kitchen/living room, a shared shower room and an en-suite bathroom to Bedroom 1.

The proposed car port would measure 5.4m in length and 3.5m in width and would link to the proposed front canopy. This would be an open sided timber structure with a flat roof to a height of 2.55m. The proposed new deck would measure 1.5m in length and 7m in width and, due to the sloping site, would reach a maximum height of 900mm above ground level.

Description of Site:

The site currently forms the rear section of garden to No. 15 Bell Common. The existing building is a large single storey annexe completed in January 2012 that was originally built as a 'leisure unit'. The site slopes quite significantly towards the rear, with the rear of the outbuilding being located some 1m above ground level. The application site is located within the Metropolitan Green Belt and the Bell Common Conservation Area.

Relevant History:

CLD/EPF/1755/10 - Certificate of lawful development for proposed outbuilding and associated hard surfacing – withdrawn 21/09/10

CLD/EPF/0110/11 - Certificate of lawful development for a proposed outbuilding for purposes incidental to the main dwelling house (known as 15 Bell Common) – lawful 16/03/11

EPF/1149/12 - Change of use of new detached leisure building to create separate single storey disabled-friendly dwelling including carers accommodation – refused 14/08/12

EPF/2303/12 - Use of existing outbuilding as residential annexe (revised application) – approved/conditions 04/03/13

EPF/0691/13 - Provision of 3 metre deck to annexe with flat access for wheelchair access and erection of 2.44 metre high screening fence – approved/conditions 29/05/13

Policies Applied:

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

CP7 – Urban form and quality

GB2A – Development in the Green Belt

GB8A – Change of use or adaptation of buildings

GB9A – Residential conversions

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE8 – Private amenity space

DBE9 – Loss of amenity

HC6 – Character, appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

ST1 – Location of development

ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

13 neighbouring residents were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. The proposed building would be overdevelopment and does not complement the surrounding countryside, contrary to policies CP2 and CP7. Committee request consideration is given to what restrictions were placed on this building when it was previously converted.

CITY OF LONDON – Object. The site lies within the Green Belt and the Bell Common Conservation Area and shares its north and south boundaries with Epping Forest. Given the planning history of the site this application appears to be development by stealth.

EPPING SOCIETY – Object as the outbuilding has only relatively recently been erected and the proposed extension would not be a limited extension within the Green Belt.

Main Issues and Considerations:

The main issues in this application would be the impact on the Green Belt, the suitability of the site, the impact on the conservation area, amenity considerations, and regarding parking.

Green Belt:

The previous application for the change of use of the outbuilding to a disabled-friendly dwelling, including carer's accommodation (Ref: EPF/1149/12) was refused planning consent for the following reasons:

The existing outbuilding is a newly erected building that does not appear to have been used for any ancillary purposes. As such, its change of use to a separate dwelling constitutes inappropriate development that is harmful to the openness of the Green Belt. There are no very special circumstances that clearly outweigh this harm, and as such the development is contrary to the guidance contained within the National Planning Policy Framework and policies GB2A, GB8A and GB9A of the adopted Local Plan and Alterations.

The proposed development, due to the sloping and unusable nature of the rear section of the site, fails to provide adequate useable amenity space for future occupiers of the new dwelling, contrary to the guidance contained within the National Planning Policy Framework and policy DBE8 of the adopted Local Plan.

As a result of the above decision a revised application was submitted to use the outbuilding as a residential annexe (EPF/2303/12). This was granted consent, however was subject to the following condition:

The residential annexe hereby approved shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 15 Bell Common, Epping.

Whilst the use of this building as a separate dwelling was previously considered to constitute inappropriate development this was because the outbuilding had only recently been erected at that

time and had not been used for any other purpose. Therefore it was considered that the previous application effectively related to the erection of a new building for residential purposes.

The key difference in this application is that the building has now been completed for approximately three and a half years and has been occupied for at least two years. Therefore the proposed conversion would constitute a true change of use rather than the erection of a new building. The National Planning Policy Framework allows for *“the re-use of buildings provided that the buildings are of permanent and substantial construction”* as long as *“they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”*.

The existing building has been present on site for a number of years and was previously used as a residential annexe, although it is understood that the previous occupants who were in very poor health and in need of care when the annex was approved are now sadly deceased. Therefore it is clear that this building would now be classed as an existing building and is of permanent and substantial construction. As such it is not considered that the proposal would constitute inappropriate development in the Green Belt nor would it have any detrimental impact on the openness or the purposes of including land within the Green Belt.

The application proposes some additions to the building, consisting of an open sided carport and front canopy along with a rear deck. Whilst the proposed carport and front canopy would be open sided and therefore would not be considered as ‘habitable space’ these nonetheless would result in an increase of 20% over and above the original floor area of the building. This would clearly constitute a ‘limited extension’ and therefore is not considered to be inappropriate development within the Green Belt. The proposed rear deck is similar to that which was previously approved in 2013 under Ref: EPF/0691/13.

Suitability of the site:

The proposed dwelling would be located to the rear of No. 15 Bell Common, served by an access road to the side of the existing dwelling. Whilst the new dwelling would be located behind the dwellings on Bell Common other properties are located within this set back location, including No’s. 67 & 69, No. 51, and No. 21 Bell Common. The existing building is single storey with a low pitched roof that would be incapable of conversion for first floor accommodation.

Whilst Bell Common is located outside of the built up town of Epping it is close enough to be considered a sustainable location. The dwelling, whilst set behind the existing and neighbouring dwellings, would still be within the linear built up enclave of Bell Common and would be similar to other set back properties within the locality.

Design:

In terms of the design of the development, the existing annexe is a weatherboarded building with a red clay tiled pitched roof and is currently on site. The proposed additional works to the building include the erection of a car port/front canopy, a new rear deck and some alterations to doors and windows. The design of the proposed works have been altered slightly in response to comments received from the Council’s Conservation Team and as such these revised plans are considered appropriate. However samples of any external materials will need to be submitted and approved to ensure that they complement the conservation area.

Given the location behind the existing dwelling it is not considered that the change of use and subdivision of the site would be unduly detrimental to the character and appearance of the area.

Amenity Considerations:

The existing building is single storey with no scope to extend into the roof area. The building is currently on site and can be retained on site for ancillary purposes. As such, no consideration is required as to whether there would be any impact on light or visual amenity from the building itself. Given the slope of the land towards the rear of the site the existing building sits on elevated land above the rear garden of both the application site and the garden of No. 21. Whilst this results in some overlooking the use of the building as a separate dwelling causes no further harm than the existing annexe.

Concern has been raised by the neighbour at No. 21 Bell Common, which has a garden that doglegs around the rear of No. 19 Bell Common and as a result adjoins the side boundary of the application site. The only concern raised by this neighbour is the area of proposed decking that adjoins the shared boundary behind the proposed parking spaces. The previously approved deck (EPF/0691/13) did not extend to the shared boundary and included a proposal for a 2.44m high boundary fence, which must be retained by way of a planning condition.

Whilst the site and proposed decking does sit considerably higher than the neighbour's garden the section of decking in question is just 900mm in width and would effectively act as an access from the parking spaces to the rear deck. It is therefore unlikely that this section of decking would be used as a sitting out area or as an area for the occupants to congregate. Furthermore due to the existing 2.44m high boundary fence, which must remain as conditioned on EPF/0691/13, the existing fencing would still extend approximately 1.8m above the level of the proposed decking. This is equivalent to a standard 6 foot high fence and therefore would adequately screen the neighbour's garden from the proposed deck. As such it is not considered that the proposed decking area would cause any undue harm to the amenities of the neighbouring residents.

The previous application to convert the outbuilding into a separate dwelling was refused in part due to the unusable rear garden area, which was considered contrary to policy DBE8. However the previous application was specifically for use as a disabled-friendly dwelling and, given the slope of the rear garden, this would not have been suitable for wheelchair use. This proposal however is simply for use as a standard dwelling and proposes a large rear deck area. As such it is not considered that the usability of the rear amenity space constitutes a reason for refusal in this application.

Parking:

The proposed plans have been amended to ensure that two off-street parking spaces and adequate manoeuvrability space is provided on site to serve the new dwelling. Furthermore two parking spaces would be provided to the front of the site to serve No. 15 Bell Common. Informal visitor parking can also be provided on site. As such the proposal would comply with the Essex County Council Vehicle Parking Standards.

The access serving the proposed new dwelling would utilise the existing crossover however would be created in part through the demolition of the existing detached garage building to the west of No. 15 Bell Common. The vehicle access, whilst a significant length, would not cause any detrimental impact on highway safety or the free-flow of traffic on Bell Common.

Other matters:

The proposal has been assessed by the Council's ecologist. Whilst they raise no objection to the development they have highlighted that the proposal may impact on protected species, namely bats, birds, reptiles, great crested newts, water voles, otters and badgers. However since none of these species are likely to specifically be found on this site, and as it is an offence to cause harm to protected species, an informative informing the applicant of their obligations under the

Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended), and the NERC Act 2006 is all that would be required in this instance.

Conclusion:

The proposed change of use of the existing outbuilding to a separate dwelling would not constitute inappropriate development and the proposed carport, front canopy and rear deck would constitute 'limited extensions' that would not harm the openness of the Green Belt.

The development does not detrimentally impact on neighbour's amenities nor would it be harmful to the overall character of the area. Adequate off-street parking and amenity space would be provided and there would be no additional impact on the public highway. Therefore the proposal complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and the application is recommended for approval.

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

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

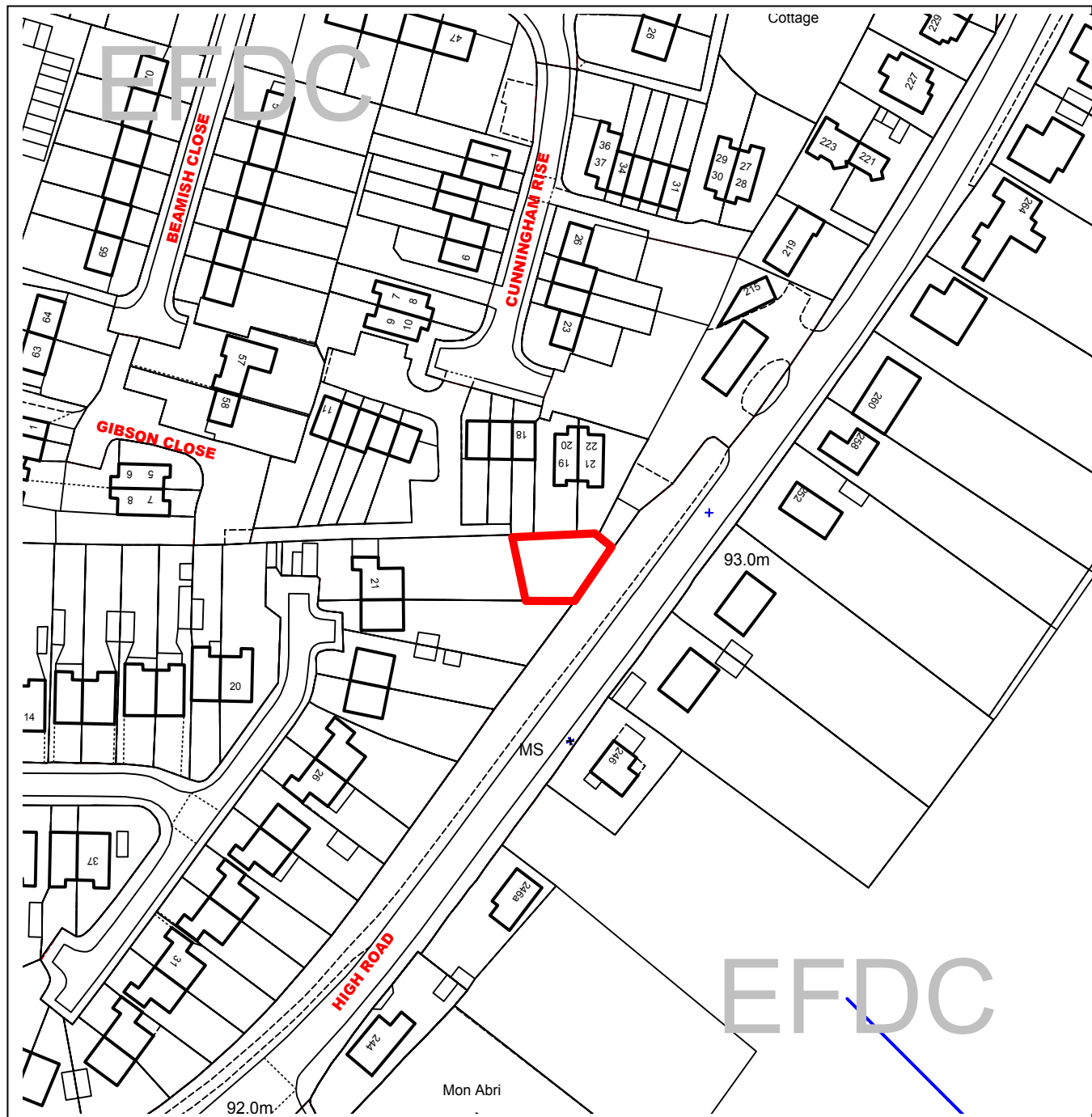
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Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/1440/15
Site Name:	Rear of 21 Princes Close North Weald, CM16 6EN
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1440/15
SITE ADDRESS:	Rear of 21 Princes Close North Weald Essex CM16 6EN
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr A Mellows
DESCRIPTION OF PROPOSAL:	Erection of single storey dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576976

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 The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 2015/P01-P04, P09.
- 4 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.
- 5 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 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.
- 7 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.

- 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 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 10 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.
- 11 Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway and verge.
- 12 No private surface water shall discharge from the development onto the highway.

This application was deferred to allow for a Members site visit to the application site and neighbouring properties.

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).) and;

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

Description of Site:

The application site is located at the end of the garden of No21 Princes Close in North Weald. 21 Princes Close is a fairly typical semi detached dwelling; the end house in a cul-de-sac of properties. The submitted red line site plan outlines the rear section of the garden which faces onto North Weald High Road across a green strip of highway land. The garden of the house is demarcated by close boarded fencing on all three sides and the flank boundary abuts a number of maisonette properties on Cunningham Way.

Description of Proposal:

The applicant seeks consent to construct a single storey dwelling in the rear section of garden. The house would have a footprint measuring 11.0m x 6.0m. The building would have a hipped roof to a height of 3.8m. and would be finished in a red stock brick with a slate roof. Two parking spaces would be provided to the front and an access would be created onto the High Road. An area of amenity space would be provided to the rear of the dwelling.

Relevant History:

EPF/2378/14 - Erection of 1.5 storey detached dwelling in rear garden with access from the High Road. Withdrawn by Applicant - 19/11/2014.

EPF/2948/14 - Erection of 1.5 storey dwelling (revision to EPF/2378/14). Withdrawn by Applicant - 03/02/2015.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment.
GB2A – Development in Green Belt
GB7A – Conspicuous Development
DBE1 – New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
DBE9 – Neighbour Amenity
ST4 – Road Safety
ST6 – Vehicle Parking
LL10 – Adequacy of provision for Landscape Retention
LL11 – Landscaping Schemes
RP4 – Contaminated Land
NC4 – Protection of Established Habitat
H2A – Previously Developed Land

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

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: Objection. Members are aware of the concerns of neighbours who were in attendance at the meeting and who have also written to the Parish Council and who have advised on the following concerns and have agreed to object to on; overlooking, loss of amenity to neighbouring residents, highways issues, parking concerns and garden grabbing.

15 neighbours consulted: 8 replies received.

22 PRINCES CLOSE: Objection. The proposed development would be contrary to the existing pattern of development contrary to Policy DBE1. The development will result in cramming on a low density road, resulting in an overdevelopment with a small garden area. Concern about the ecology of the immediate area. Concern about loss of privacy and overlooking. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. Concern that there is a lack of parking provision and that this scheme will lead to issues of highway safety. The scheme will lead to a loss of outlook from the properties in Cunningham Rise. The development will encroach into the garden area of No22.

23 PRINCES CLOSE: Objection. The scheme is out of character and will be overbearing. Concern that there is a lack of parking provision and that this scheme will lead to issues of highway safety. Concern about impact on ecology and noise disturbance during the works.

15 CUNNINGHAM CLOSE: Objection. The proposed erection will be significantly altering the fabric of the area between Princess Close/The High Road/Cunningham Rise. With the proposed dwelling and a possible loft extension in the future, neighbouring properties will be once again threatened with the chance of being overshadowed by a construction/unable to enjoy their south facing garden. Concern about loss of privacy and overlooking of my property. Concern about land drainage and potential flooding of the site. The scheme has insufficient parking provision and will lead to issues of road safety.

16 CUNNINGHAM RISE: Objection. The proposed development would be contrary to the existing pattern of development contrary to Policy DBE1. The development will result in cramming on a low density road, resulting in an overdevelopment with a small garden area. Concern about the ecology of the immediate area. Concern about loss of privacy and overlooking. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. Concern that there is a lack of parking provision and that this scheme will lead to issues of highway safety. The scheme will lead to a loss of outlook from the properties in Cunningham Rise.

17 CUNNINGHAM RISE: Objection. Concern about potential loss of daylight/sunlight. The site of the entry to this property could not be in a more dangerous position on the high road. Much as we all know there is a 30 mph limit, many vehicles leaving the village are accelerating at this point. Concern about potential flooding at the site.

21 CUNNINGHAM RISE: Objection. Concern that there will be potential issues with flooding at this site and that the scheme will lead to a loss of light to my bedroom window.

250 HIGH ROAD: Objection. Concern that trees and hedging was removed in order to cater for this new dwelling. Our house will be overlooked by the new dwelling. Concern about parking provision and road safety. We believe we are entitled to a little privacy in our home and this proposed house will look directly into our dining room and living room.

92 BLENHEIM SQUARE: Objection. Concern about loss of light and overlooking. The development has insufficient parking and will lead to issues of highway safety.

Issues and Considerations:

The main issues to consider are the general principle of the development, whether the proposal is appropriate at this location in terms of character and appearance, parking, highway safety, flood risk and neighbour amenity. The comments of consultees are another material consideration.

Principle of the Development

A number of objections received have described the proposed development as “Garden Grabbing” and that the scheme would be harmful to the character and appearance of the area. Whilst Paragraph 53 of national guidance contained in the NPPF states that Council’s should set policies to avoid the inappropriate development of residential gardens, it also states that this is not necessarily an issue as long as the proposed development conforms to the character and appearance of the area. The Council is in the process of preparing a Local Plan and a significant housing need will have to be met in what is one of the largest Green Belt authorities in the country. Careful consideration should always be given to the potential to meet some of the housing need within existing settlements. It is a fairly settled principle that the more efficient use of land in built up areas is an appropriate form of development and a useful means of boosting the local housing stock, subject to the impact of that development not being excessive.

In terms of impact on the character and appearance of the area, this site has been proposed for development on a number of occasions with the two previous schemes, for 2 storey development, withdrawn by the applicant. The latest submission is for a single storey 1 bedroom unit. This rear section of garden is generally standalone in terms of any adjoining development and the immediate area contains a general mix of dwelling styles. To the north of the site is a Petrol Station and there are various styles of dwelling along the road. It is not considered that the construction of a single storey dwelling at this location would seriously detract from the character of the area. The site would have its own access onto the High Road and would integrate into the streetscene successfully. Without this access to the highway and the potential to form part of the streetscene of the High Road, this would be a clear case of garden grabbing. As with many applications of this nature there is a requirement for a balancing exercise between the acceptability of the general principle and the desire to protect the character of neighbourhoods. On this occasion however it is considered that the balance falls in favour of the granting of consent.

Design and Layout

Concern has been expressed that this scheme will be an overdevelopment of the site. Whilst this is an often quoted term, from a planning viewpoint a small house could sit comfortably on the site and a reasonable garden area, albeit shallow, would be provided for the new property. The existing dwelling would still be served by a reasonable garden. A parking area to the front, and conventional layout, would result with the finished scheme relating well to the High Road and not forming an inappropriate backland or garden development.

In terms of design, the proposed dwelling is small in size, but this will help in the provision in a mix of dwelling types and in terms of appearance it raises no serious issues of concern. Members often raise the need for bungalows and this appears an appropriate location for such.

Neighbour Amenity

Concerns about overlooking and loss of daylight/sunlight are difficult to substantiate. The proposed dwelling is not much bigger than most permitted development summerhouses. Similarly there would be no significant loss of amenity from rear gardens of Cunningham Rise and the house is low set and off the boundary. There cannot be serious overlooking from a single storey unit with conventional front and rear facing windows. Whilst neighbours have raised concern about future extensions in the roof, in reality the proposed plans include a roof too shallow to enable living space at first floor. Any plans to increase the ridge height would require planning permission where the scheme could be judged accordingly. Whilst concern has been expressed that the proposed development would breach the Human Rights of neighbouring occupants it is not considered that this scheme would seriously infringe amenity and the peaceful enjoyment of their homes. A new property could be developed at this site without serious impact on amenity.

Trees and Landscaping

Previously submitted Tree Surveys have demonstrated that the development is feasible in relation to trees on and near the site and an appropriate tree protection condition should ensure their health and well being during construction.

Highway Safety/Parking

Two parking spaces are considered a sufficient provision at this location. The Highways Section at Essex County Council has provided the following comments;

“The proposed development provides appropriate parking, turning and excellent visibility onto the High Road so consequently the scheme will have no detrimental impact upon highway safety or efficiency at this location”.

In light of these comments the Local Planning Authority are content to conclude that the scheme is acceptable from a safety and parking viewpoint.

Land Drainage

Concern has been expressed with regards to potential flooding if this site is developed. The scheme is of a size to require a Flood Risk Assessment which should address the issue of potential flood risk. Details of surface water drainage are also deemed necessary.

Neighbour Comments

No22 Princes Close has raised concern that the development will encroach into their garden area. It is difficult to ascertain this from the submitted plans but any issue of encroachment is a civil matter and there has been no prejudice in terms of an application being made without members of the public with an interest in the land being aware.

Conclusion:

The proposed development is considered to be in principle acceptable and would not be out of character with the existing pattern of development. Impact on the amenity of neighbours would not be excessive and the design and layout of the scheme is appropriate. It is therefore recommended 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

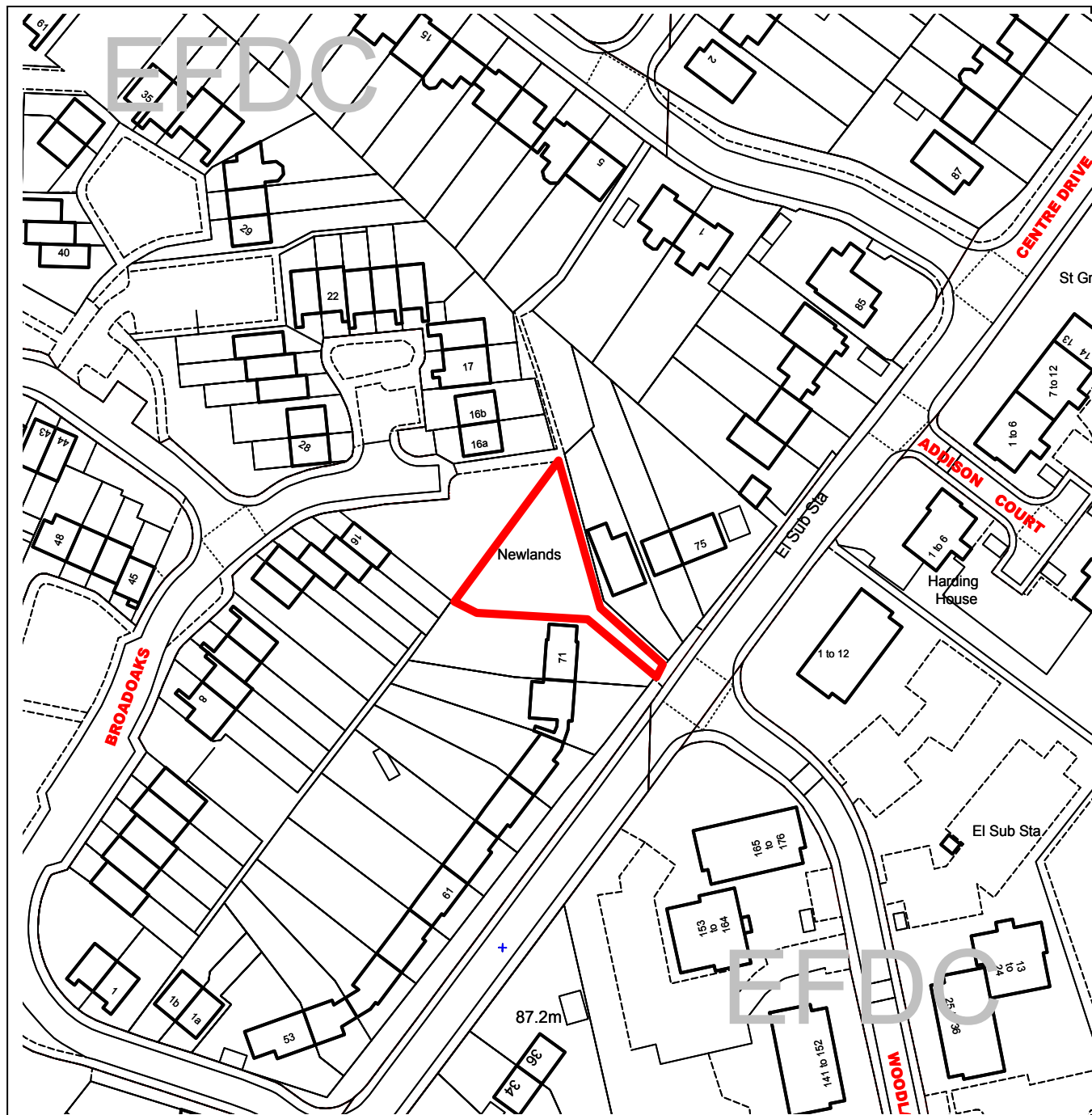
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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/1529/15
Site Name:	Land Adj. to 71 Centre Drive Epping, CM16 4JF
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/1529/15
SITE ADDRESS:	Land Adj. to 71 Centre Drive Epping Essex CM16 4JF
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	1 affordable house with 2 parking spaces
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=577237

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: 612 044 PI 01A, 02A, 03B, 04A, 05A, 06, 07.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing dwelling on site, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 The proposed window openings in the indicated as obscure glazed on plan number 612 044 PL04A shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 6 No development shall take place 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.
- 7 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.

- 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 until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

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

- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 14 The turning area shown on the approved plans shall be provided prior to the first occupation of the site and retained thereafter free of obstruction to enable a vehicle to turn and leave in a forward gear.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e))

Description of Site:

The application site is located on a piece of land which currently forms part of the large garden area serving 71 Centre Drive in Epping. The garden area includes land immediately behind the existing dwelling and a triangular piece of land to the side/rear of the house. An overgrown entranceway leads from the road to the rear garden area and a footpath passes along the flank boundary of the house. The general character of the area is of semi detached dwellings and short runs of terrace properties facing the road. No71 is a two storey semi detached dwelling.

Description of Proposal:

The applicant seeks consent to construct a new dwelling on the triangular piece of garden land. The dwelling would be two storeys in height with a ridge level of 7.0m. The building would be irregular shaped with angled front and rear elevations. The existing access would be paved to provide access/egress to the site. Private amenity space would be provided to the rear. Two parking spaces would be provided on site. The applicant is East Thames Housing Group and the land is owned by the Council. The submission indicates that the proposed dwelling would be an affordable unit.

Relevant History:

No relevant history.

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 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

TOWN COUNCIL: No Objection.

84 neighbours consulted and Site Notice displayed: 1 reply received.

69 CENTRE DRIVE: Objection. I live in 69 Centre Drive and based on the plans, our privacy will be compromised by the new development at 71 Centre Drive. The new development will have full views into our back garden which is unacceptable. In addition it will involve removal of trees etc which form an excellent security barrier to our back yard preventing easy access from the public. Finally our right to light will be affected by the proposal.

Issues and Considerations:

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

Principle of the Development

The application site is essentially backland garden land and any development would have to conform to the character of the area in order not to fall foul of Paragraph 53 of national guidance contained in the NPPF which states;

“Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area”.

In terms of assessing this application, the established character of the road is two storey dwellings facing the road although there is not a constant building line, numbers 69-73 angling away from the road. Whilst this building would be set further back it would continue the progressive set backs of the building line on each side of the plot. This is an extensive garden and even after development a reasonable amenity area would remain to serve No71. The plot would comfortably accommodate this dwelling. In Officer's view the proposed development would not seriously harm the character of the area. In addition the more efficient use of this site would provide an extra, much needed new affordable dwelling within the district. The more sustainable and efficient use of land, as in this case, is a core Government aim as enshrined in local plan policy H2A. It is recommended to Members that the principle of redevelopment as per the submitted plans is in compliance with local and national planning policy and harm to the character of the area would be minimal and clearly outweighed by other material considerations promoting the more efficient use of land.

Amenity

Whilst objections have been received from the occupants of No69 with regards to loss of amenity, it is not considered that there would be an excessive impact. Whilst side facing windows would face towards the gardens of No's 69 and 71 these could be reasonably conditioned as obscure glazed. Other windows are conventionally on the front and rear elevations. There would be no serious loss of outlook or overbearing impact with this scheme. Loss of light would not be excessive.

Design and Layout

Whilst the proposed shape of the dwelling is slightly unconventional it raises no serious issues. Suitable levels of amenity space are provided. Materials in compliance with the physical character of the road would ensure a suitable finish.

Trees and Landscaping

There are no objections to the scheme from a trees and landscaping viewpoint subject to conditions agreeing tree protection and a suitable landscaping scheme. It is noted from the tree reports that work is recommended to the ash tree along the rear boundary. This tree is protected by a Tree Preservation Order, and as the proposed works are not required to facilitate development, an application for works to protected trees will need to be submitted for approval.

Highways and Parking

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

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.

Contamination

Due to the presence of an 85m² infilled pond there is the potential for contaminants to be present on site. Domestic dwellings with gardens are classified as a particularly sensitive proposed use. As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of condition.

Land Drainage

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. Council records indicate that this land has flooded previously from a watercourse therefore consideration should be given to this during the drainage design. Details of surface water drainage are therefore required and can be agreed by condition.

Conclusion:

The proposed development is considered to represent a small infill site which would result in the more efficient use of urban land without seriously compromising the established character of the area. It is therefore recommended 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

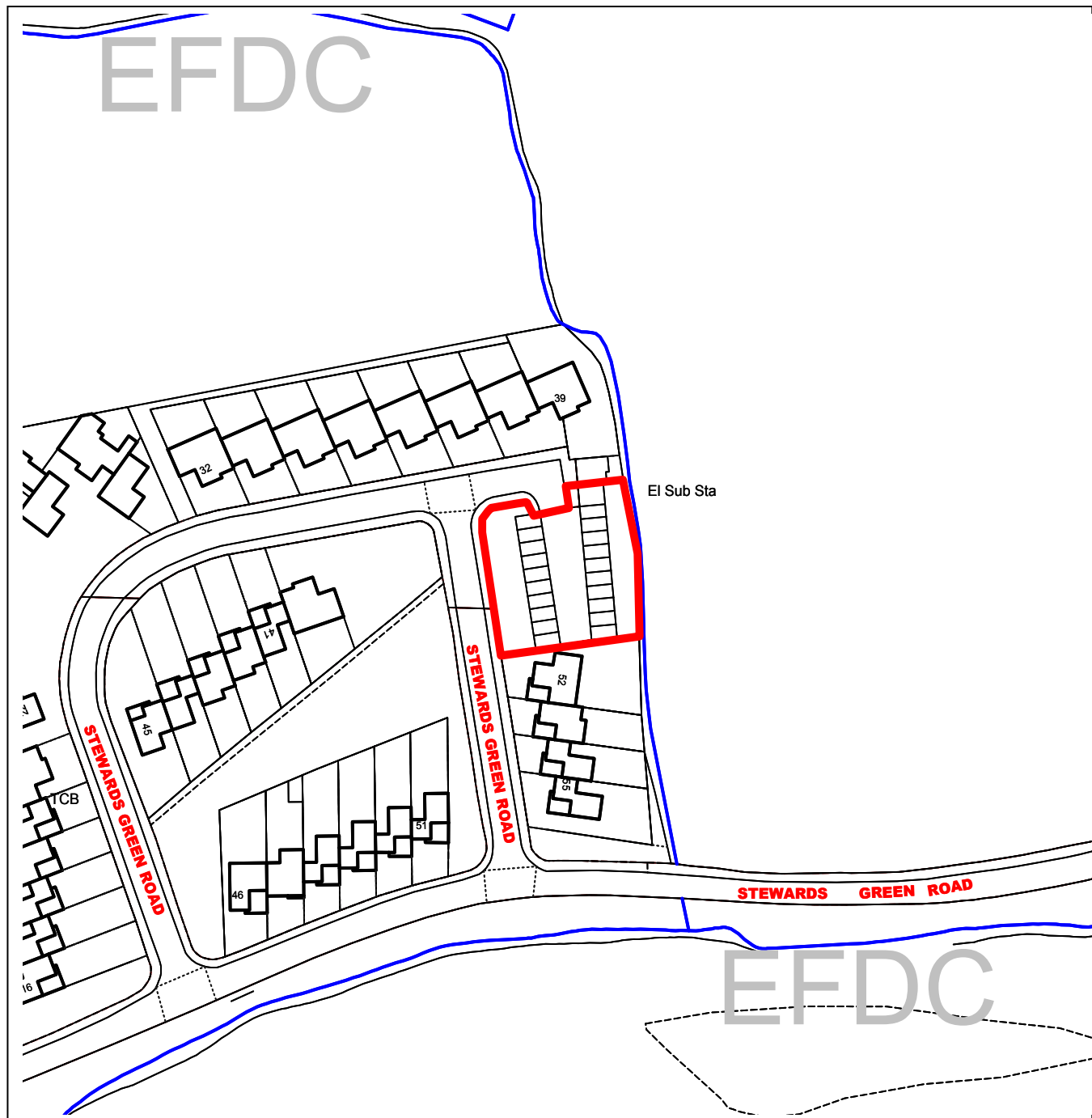
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Agenda Item Number 10



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Application Number:	EPF/1531/15
Site Name:	Garage Court North of 52 Stewards Green Road, Epping, CM16 7DA
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/1531/15
SITE ADDRESS:	Garage Court North of 52 Stewards Green Road Epping Essex CM16 7DA
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	4 affordable homes, 9 parking spaces
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=577239

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: 612 040 PI 01a, 02a, 03b, 04a, 05a, 06a, 07a, 08, 09, 10.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of 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 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.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for

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

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 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 generally permitted by virtue of Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 10 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)) and,

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

Description of Site:

The application site is currently occupied by a group of 14 garages arranged in two blocks facing each other across an entrance court with a grassed strip to the front. The garages are located to the north of Stewards Green Road on the outskirts of Epping. The garages serve residents in the immediate area. The dwellings are arranged in short runs of two storey and single storey terraces.

Description of Proposal:

The applicant seeks consent to construct a short run of four terrace dwellings facing the road. In total nine parking spaces would be provided with private amenity space to the rear. The buildings would be similar in design to the terrace of properties to the south. The applicant is East Thames Housing Group and the land is owned by the Council. The proposed dwellings would be affordable units.

Relevant History:

No relevant history.

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 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

TOWN COUNCIL: No Objection.

40 neighbours consulted and site notice displayed: 3 replies received.

30 STEWARDS GREEN ROAD: Objection (2 letters). Concern about the loss of parking spaces, we use our garage to park and it is difficult to get a parking space in the vicinity as people use the area to park for the tube station. I have constantly contacted local councillors about the prospect of yellow lines but have received no reply. I have also been informed that Essex County Council has no plans to designate resident only parking bays. The vast majority of residents in the immediate area own more than one car and where will these go.

40 STEWARDS GREEN ROAD: Objection. In relation the proposed redevelopment of the garage site in Stewards Green Road I wish to formally object based on the following points. I rent one of the garages in question which houses a classic car so I will not have anywhere to keep the car dry. The proposed parking spaces will in no doubt be filled by commuters using Epping Train station as is the case on a daily basis which is a real issue in Stewards Green Road for residents. The community in Stewards Green Road have a high population of young children who play on the Green so using this area for motor vehicles will cause great danger to the children playing in this area. Based on the above I feel that only building four houses will not outweigh the cost to the local community.

43 STEWARDS GREEN ROAD: OBJECTION. This is a small loop road that is already overrun with traffic because commuters seem to use it as an overflow car park for Epping Station. Although parking spaces are provided within the planning application the quantity does not allow for visitors, deliveries, and households with large vans that take up more than one space. The volume of moving traffic down this small street is already ridiculous. We already have people with vans who seem to be operating a business from their home premises (there is a van which drops off goods at least 5 times every weekday night) and it is sometimes impossible to actually reverse off ones own drive because of the parking on this street. I would suggest that you undertake a traffic survey in order to estimate the traffic volume.

2. There are many families with children in this area and any increase in traffic along this little road automatically makes it a higher risk area for accidents.

3. The quality of the road surface is disgraceful and more traffic will simply compound this issue. It took many, many emails and phone calls to the council earlier this year to register the major pothole in the road and this was not even planned into a work schedule so I can only presume that the fixing was a complete accident - I was told in no uncertain terms that it was not considered a priority so may never be fixed. More traffic equals more road damage which will never appear on anyone's radar.

4. Why not build a children's play area, a pocket park or allotments for people to enjoy - many of the bungalow residents have a small gardens this would be such a positive addition to the community. This little loop road would be an absolutely ideal area for promoting community spirit within Epping and with a small amount of support from the Council we could set up a Community Association to oversee the development of this area.

5. This is a very quiet residential area, with elderly residents - can you guarantee that these occupants of this housing will follow suit?

6. If this application goes ahead at the very least you should consider resident only parking permits.

Issues and Considerations:

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

Principle of the Development/Design/Layout

The application site is located in the built up area of Epping and notwithstanding potential issues with regards to the loss of the garages this is a brownfield site and suitable for redevelopment. The proposed design follows the form of the existing dwellings and would conform to the character of the area. In principle there are no planning issues with redeveloping the site. Materials in compliance with the physical character of the road would ensure a suitable finish.

Vehicle Parking

A number of objections have been raised with regards to the loss of the garages and it is evident from the site visit and the submitted documentation indicates that at least some of the garages, 9 in total, are in use for the parking of vehicles. If the garages are removed from site there will be some displacement of parking in the immediate area. The Highways Authority has raised some concern that information regarding parking surveys of the area and any replacement provision has not been provided.

Whilst these spaces, although below the current standards for a parking bay, will be lost it seems that there is potential provision to meet some need to the front of existing properties. Indeed there is already some off street parking provided at some properties in the immediate area, including in the existing row, which would be continued.

Whilst the loss of this existing parking facility would be regrettable the area is not as heavily parked as some roads in Epping and this is a sustainable location where reduced parking standards can be accepted. The proposed development would be well served by parking. The proposed development would provide much needed housing, developed by a provider of affordable housing, at a sustainable location, on a brownfield site in the built up area of the town. Such schemes are in compliance with national planning policy aims to increase the supply of new homes and in this case this can be achieved in a sustainable manner which does not involve the release of Green Belt land. On balance it is recommended to Members that the some amount of parking displacement is outweighed by a sustainable means to help meet housing need within the district.

Amenity

The plans indicate that the proposed residential units will provide sufficient amenity space and there would be no issues of concern with regards to the living conditions of existing residents.

Trees and Landscaping

There are no objections to the scheme from a trees and landscaping viewpoint subject to conditions agreeing tree protection and a suitable landscaping scheme.

Land Drainage

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment is therefore required. Works are proposed to or within eight metres of an open or piped watercourse therefore Land Drainage consent is required.

Any works within three metres of a Public Sewer requires build over consent from Thames Water Developer Services. The applicant should therefore consult with Thames Water on the exact location of the Public Sewer which runs near the boundary/through the site.

Waste Comments

It should be noted that the Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each property will require space to store and space at the boundary, to present for collection 1 x 180 litre refuse container, 1 x 180 litre food and garden container, 1 x 55 litre glass box and space for storage of recycling sacks. The development meets these requirements.

Neighbour Comments

Whilst some concerns have been raised about highway safety and the state of the existing road it is not considered that such issues relate directly to what is proposed here. Other suggestions as to how the site could be developed could not justify the refusal of this scheme.

Conclusion:

The proposed scheme represents a small brownfield development at a sustainable location which would have no serious impact on the amenity of neighbours. Whilst the loss of the garages and some parking displacement is recognised as an issue it is considered that this will not lead to serious parking issues in the immediate vicinity. Furthermore this concern is outweighed by other positive attributes of the development including the provision of much needed affordable housing. It is therefore recommended 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:

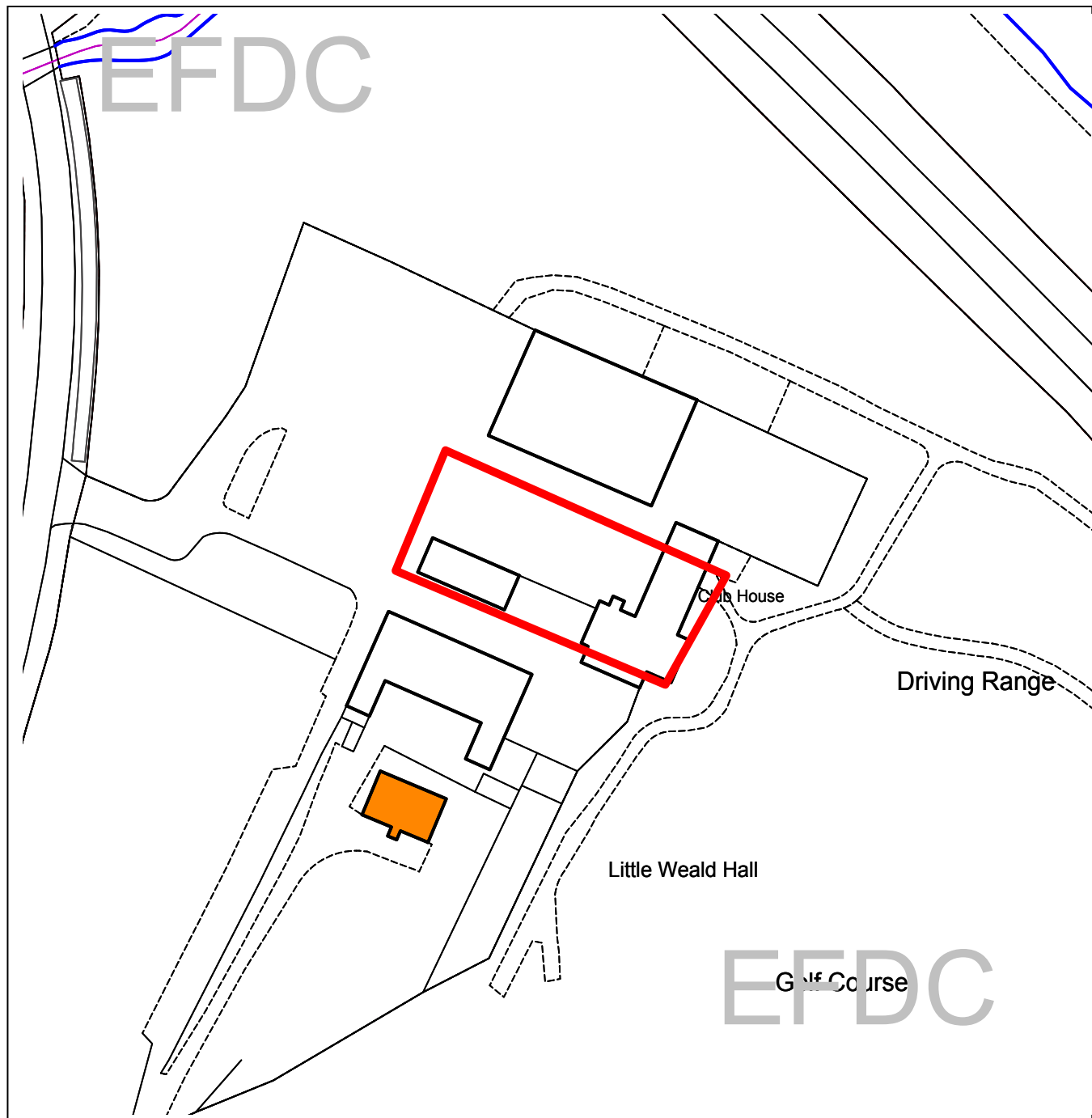
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Agenda Item Number 11



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Application Number:	EPF/1536/15
Site Name:	North Weald Golf Club, Rayley Lane North Weald Bassett, CM16 6AR
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/1536/15
SITE ADDRESS:	North Weald Golf Club Rayley Lane North Weald Bassett Epping Essex CM16 6AR
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	North Weald Grove Limited
DESCRIPTION OF PROPOSAL:	Replacement of existing buildings with three storey building to accommodate 20 no. apartments (resubmission of EPF/0183/15)
RECOMMENDED DECISION:	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=577244

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: FID-010A, FID-100A, FID-105A, FID-110, FID-1005A, FID-2100, FID-2200, FID-2300, FID-2400, FID-3000, FID-3100, FID-3200, FID-4000
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 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 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.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed

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

- 7 The parking and bicycle storage 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 and bicycles.
- 8 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 10 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 14 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.
- 15 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
- 16 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

- 17 Prior to the commencement of construction, the following should be submitted to and approved in writing by the Local Planning Authority:
- i) Details of timings of works to minimise the impact on commuting bats.
 - ii) Details of an artificial lighting plan (if unavoidable) to be used during and post development to eliminate the potential impact on commuting bats.
 - iii) Details of bat boxes, bricks or tubes to be installed post construction.

The development shall thereafter be carried out in accordance with the approved details.

- 18 Prior to the commencement of construction, the following details shall be submitted to and approved in writing by the Local Planning Authority:
- i) A methodology for checking for, and avoiding harm to, hedgehogs.
 - ii) Details of a hedgehog box to be installed post construction.

The development shall be carried out in accordance with the approved details.

- 19 Prior to the commencement of construction details of bird-nesting boxes and their positions on the new building or nearby trees shall be submitted to and approved in writing by the Local Planning Authority.

And the completion by the 25th September 2015 (unless otherwise agreed by Planning Performance Agreement) of a legal agreement to secure a bond to ensure the continuation of the bus service currently operating from the site, to provide a free bike to each of the proposed apartments, and to secure a financial contribution of £30,078 towards the provision of primary school provision and school transport funding (index linked to April 2015 costs). In the event that the developer/applicant fails to complete a Legal Agreement within the stated time period, Members delegate authority to officers to refuse planning permission on the basis that the proposed development constitutes an unsustainable development contrary to the guidance contained within the National Planning Policy Framework and policies CP1, CP3, CP6, ST1 and ST2 of the adopted Local Plan and Alterations and since it would cause harm to local education services by generating additional demand that cannot be accommodated within existing capacity.

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

Description of Site:

The application site comprises a 0.195 hectare parcel of land within the existing (wider) golf course site. The application site is the area of land currently occupied by the existing Golf clubhouse and adjacent redundant Essex Barn along with part of the existing car park area. Prior consent has been given for the demolition of these two existing structures, however at the time of writing this report the buildings have not yet been removed.

The application site forms part of the existing golf club and is located within the 'built up' part of the site. To the immediate north is an existing day nursery and store (in connection with the golf course) and beyond this a recently erected five-a-side football clubhouse and associated football pitches. To the west of the site is the car park serving the golf club and day nursery (with a

separate car park to the north serving the football club) and the access to the site, via Rayley Lane. To the south of the site is a large commercial building with a residential property beyond this (Little Weald Hall), which is outside of the applicant's ownership. To the east of the site is the golf course.

The application site is located within the Metropolitan Green Belt and on the edge of North Weald Airfield. It is not within a conservation area, however the neighbouring property (Little Weald Hall) is Grade II listed.

Description of Proposal:

Consent is being sought for the erection of a three storey building to accommodate 20 no. apartments to replace the existing club house and Essex Barn. This would be an L shaped building measuring 51m in length and 9.3m in width of the main block with an additional 20m long by 9.3m wide cross wing. The proposed building would have a dual pitched roof with a ridge height of 10.5m and would incorporate the second storey into the roof area, which would be served by dormer windows and partially inset balconies. There would be two gable ended roof terraces located within the southern elevation and four slightly projecting glazed stairwells within the northern elevation of the main block and western elevation of the cross wing.

The proposed development would provide five x 1 bed flats, eleven x 2 bed flats and four x 3 bed flats and would be served by 35 (gated) resident parking spaces and 5 unrestricted visitor spaces. With the exception of some small landscaped areas immediately surrounding the proposed building there would be no communal amenity space provided, however all flats would benefit from a private balcony or roof terrace area.

The proposed works are physically unchanged from the previous application ref: EPF/0183/15. This application differs since a more robust Transport and Accessibility Statement has been submitted, which compares the environmental and economic impacts of the proposal compared to a comparative development located within North Weald and considers the trip generation potential of the application site. In addition a bus is now currently running from the site, linking the proposed development with North Weald, Epping and Harlow, along with wider areas such as Brentwood and Bishop's Stortford, and a free bicycle is being offered to each of the proposed apartments.

Relevant History:

North Weald Golf Club has a long and complex history, much of which is not directly relevant to this planning application with the exception of the following applications:

EPF/1229/93 - Erection of Golf Clubhouse – approved/conditions 18/07/94

EPF/2112/05 - Two storey side extension to existing club house and barn conversion to create bedroom accommodation for visitors and members of North Weald Golf Club (revised application) – approved/conditions 16/03/06

EPF/2550/10 - Conversion of redundant Essex Barn to residential accommodation for manager/owner of North Weald Golf Club – approved/conditions 08/03/11

NMA/EPF/1618/11 - Non material amendment to planning permission EPF/2550/10 – approved 22/08/11

NMA/EPF/0935/12 - Non material amendment to EPF/1229/93 – approved 31/05/12

EPF/0391/13 - Construction of 5 five-a-side floodlit, all weather football pitches with clubhouse/changing facility and 61 car parking spaces on land adjacent to Barley Barn Day Nursery – approved/conditions 22/04/13

DEM/EPF/0267/15 - Application for prior notification of proposed demolition – prior approval required and granted with conditions 16/02/15

EPF/0183/15 - Erection of three storey building to accommodate 20 no. apartments (to replace existing clubhouse and Essex barn to be demolished under Prior Notification application EPF/0267/15) – refused 21/04/15

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 objectives
CP9 – Sustainable transport
GB2A – Development in the Green Belt
H2A – Previously developed land
H3A – Housing density
H4A – Dwelling mix
NC4 – Protection of established habitat
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL11 – Landscaping scheme
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
RP3 – Water quality
RP4 – Contaminated land
RP5A – Adverse environmental impacts
U3A – Catchment effects

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

Consultation Carried Out and Summary of Representations Received:

Due to the relatively isolated location of the site 1 neighbouring resident was consulted however a Site Notice was displayed on 14/07/15.

PARISH COUNCIL – Object on the following grounds:

- The proposal is unsustainable in the area, out of character with the area and the surroundings, concern at the amount of generation of traffic throughout the whole of the day, concern at the lack of amenity space for each dwelling, concern at the height of the proposal being that it shows 3 storey dwellings.
- Members have a concern that with 3 golf courses in the area that development such as this may set a precedent.
- There is no Legal Agreement for the New Bus Service and this service could be ended as soon as planning Approval is granted. The idea of Cycles for each dwelling does nothing to improve the sustainability if the application as there are no Cycle Lanes attached the proposal therefore it is still not sustainable.
- Concern at the Car Parking – if you look at the CIBSE Guide which should be relevant to this proposal due to it having a football pitch, golf course, a hairdressers and a nursery on site then there are insufficient parking spaces proposed in total. Especially as the turning circle for a bus would take away some of the area.

Issues and Considerations:

The key considerations in this development are the impact on the Green Belt, sustainability, the loss of the club house, the impact on amenities, in terms of highway safety and parking, and with regards to the overall impact on the surrounding area. However since this proposal is physically unchanged from EPF/0183/15 the only consideration is regarding the previous reason for refusal, which reads:

Due to the location, remote from shops, employment, schools and facilities, with no local bus stops and no pavements along the adjacent highways, residents of the development will be heavily reliant on private car trips. The development is therefore unsustainable and contrary to policies CP1, CP3, CP6, ST1 and ST2 of the adopted Local Plan and Alterations.

Sustainability:

The previous decision highlights that, due to the relatively remote location of the application site, the development would result in the vast majority of trips to and from the site being by private vehicle. The submitted Transport and Accessibility Statement (TAS) states that:

The interpretation of 'sustainability' is entirely at odds with the NPPF which states that the conditions to achieve such development must incorporate a balance between social, economic and environmental considerations. Moreover, the case of Fordent Holdings Ltd v Secretary of State for Communities and Local Government [2013] it was noted that "a decision maker should not focus on one of the requirements of sustainable development at the expense of another".

The conditions required to achieve sustainable development therefore cover a wide area of consideration and, indeed, the NPPF covers the issue over 201 paragraphs (18 to 219) which it states, "taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system". Nowhere within the NPPF does it suggest that accessibility is a prerequisite of achieving sustainable development.

Although it is agreed that the issue of sustainable development should not focus on one of the requirements the NPPF clearly states that the three roles of sustainable development (economic, social and environmental) "should not be taken in isolation" and "to achieve sustainable development, economic, social and environmental gains shall be sought jointly and simultaneously". As such it is argued that a development must comply with all three of the requirements in order to be considered a 'sustainable development'. Whilst it is accepted that the proposed development is both economically and socially sustainable the location of the site ensures that this falls short of being environmentally sustainable, due to the resulting increased car use. The location of sites and reliance on private car use have been key considerations in several appeal decisions and appeals relating to sites in 'unsustainable locations' are often dismissed for this reason. Therefore it is not considered that the previous decision by the Council was unjustified or unreasonable.

The TAS provides a full and comprehensive assessment of all modes of transport as follows:

Accessibility by foot:

Whilst the application site is not located on the existing network of constructed footways the site is accessible via a number of public footpaths and byways that route via the golf course and country lanes to provide connectivity to the High Road in North Weald. These footpaths include PROW no.

19 (Bridleway), which runs directly through the centre of the golf course, and PROW no. 31 (footpath), which runs across the southern end of the golf course beyond the driving range.

The TAS has assessed these footpaths, along with GIS-based modelling, using centralised travel networks and adjusted to ensure that roads that are unable to accommodate pedestrian movements safely are removed from the analysis. It is stated that *“the results indicate the geographical area that is accessible from the site within the industry-standard walk threshold of 2.0-kilometers, as advocated by guidance provided by the ‘Institute of Highways & Transport’ (IHT), entitled ‘Planning for Journeys on Foot’”*.

These results show that *“it is possible to walk between the application site and the northern fringes of North Weald, albeit via the local public rights of way network. Whilst the geographical area provides access to the local shop, post office and pub, it is acknowledged that they are on the threshold of the walkable catchment. Nevertheless, the wider golf complex already includes a hair salon and crèche, and hence there are some amenities that are within a short walk of the application site”*.

The TAS concludes that *“walking is therefore considered to be unlikely to be perceived as a viable mode of travel for the majority of trips generated by the proposed development”*.

Accessibility by Bike:

The TAS highlights that *“cycling has long been recognised within national and local policy as having the potential to substitute for car trips, particularly for those journeys of less than five kilometres. Indeed, the thrust of both the NPPF and the Local Plan (with 2006 Alterations) is to deliver sustainable development by, in part, enhancing the opportunity to travel by bike”*.

It recognises that *“there is no dedicated cycle infrastructure in proximity of the application site or in the surrounding area, including within North Weald”* however notes that *“the local roads are considered to be of such geometry to enable cyclists to travel on the carriageway, alongside traffic, without detriment to safety”*.

A five kilometre GIS model calculates that *“a large geographical area would be within an acceptable cycle journey of the application site”* however recognises that *“the primary destinations within the catchment are limited to North Weald, Tyler’s Green, and the fringes of Harlow and Epping”*. The TAS concludes that *“travel by bike is therefore a viable mode for some journeys”*. It is however questionable as to whether these would be main journeys such as travelling to work, shopping, etc.

In addition to the above information the applicant states that they are *“prepared to provide a free bicycle for each of the apartments”*. This would assist in promoting cycling by future occupants on the site and would need to be secured by legal agreement.

Accessibility by Bus:

The biggest difference between this proposal and the previously refused scheme is that a bus service has now been provided on the site. The TAS states that *“guidance set out within the Institute of Highways and Transportation’s publication entitled ‘Planning for Public Transport in Developments’ recommends a maximum walking distance of 400 metres between travel generating land-uses and the nearest bus stop. In this context, the nearest bus stop exists within the existing North Weald Golf Club in close proximity to the entrance from Rayley Lane”*.

The existing bus stop was constructed in June 2015 to facilitate the reprogrammed bus service Number 19. This runs an average of once an hour Monday – Friday from 06:42 to 17:42, although there is a possibility of this extending to the weekends. Letters have been submitted from the bus

company confirming the agreement to operate the bus service and that they “*will include this new stop in the route as long as the route is running*”.

The TAS states that “*in consideration of the relative accessibility afforded by bus, an accessibility model has been created to identify the geographical catchment that is accessible within a 60-minute intermodal travel time, i.e. walk>bus>walk. This reflects the maximum commute time that is considered to be reasonable, particularly for those residents that are on lower incomes that may be willing to travel longer distances for employment. Whilst the National Travel Survey (2013) identifies the average trip time to be circa 24 minutes, it also recognises that ‘residents of more rural areas tend to commute further than those in urban areas’*”.

Based on this it has been calculated that “*the application site facilitates travel by bus to a wide geographical catchment that incorporates a number of settlements (such as Brentwood, Harlow, Epping and Bishop’s Stortford) where a range of shopping, leisure and employment activities are available*”. A further analysis also “*identifies that the relative accessibility of the site fluctuates throughout the day in line with the changing bus timetables*” and that “*the morning peak outbound catchment overlain with the evening peak inbound journey in order to identify the geographical catchment within which residents would be able to commute by bus between the site their place of work*” shows that within a peak hour commute of the site are the larger service centres of Epping, Harlow and Chipping Ongar and therefore the TAS concludes that “*bus travel is considered to be a viable mode for some journeys originating from the application site*”.

Accessibility by Rail:

The closest railway station to the application site is Epping Station, which is approximately 8.5 kilometres distant. Alternative rail services are available at Harlow Station, which is 9 kilometres distant.

These services are not located within a non-car travel catchment and therefore, with the exception of taxi services, which tend not to be a long term viable option, it is likely that any rail trips would be in part combined with private car use and therefore is unlikely to be a viable mode of transport for the majority of trips.

Accessibility by Car:

The previously submitted Transport Statement shows that the existing clubhouse generates a certain level of traffic movements at present. Whilst these would not offset the proposed additional vehicle movements since the clubhouse facilities have been relocated to the nearby football club house, the Transport Statement has nonetheless calculated, based on a multi-model TRICS assessment, that there would be traffic movements of 7 in the AM peak (1 every 9 minutes) and 8 in the PM peak (one every 7.5 minutes). This shows that, whilst the proposal would result in an increase in vehicle commuting the level of additional vehicle movements would be relatively low.

In addition to the above, the TAS has undertaken a comparative study of the accessibility credentials of the application site against those of North Weald, where precedent has been set for additional residential development. The comparison considers various factors. The results of the analysis are as follows:

- The average journey regarding commuter trips from the proposed development would result in a nominal increase of 0.51 kilograms of CO₂ per day, which equates to a relative change of just 3.81% when compared to a comparable development within North Weald. However, 85% of all journeys would result in a significantly smaller increase in emissions of just 1.15%, with the emissions associated with the farthest journey being reduced by 0.92%. On this basis, the development proposals are considered to exhibit a broadly negligible impact on the environment, in respect of emissions.

- The commuter trip outputs also indicate that the proposals would, on average, lead to a reduction in travel-time costs compared with comparable trips originating from within North Weald, although once again the relative change is considered to be small, with an average reduction of just -3.04%. However 85% of all trips would experience a reduction in travel-time costs of less than -3.76%. Thus, the proposals are considered to have a moderately beneficial impact in economic terms.
- The proposed development would afford a reduction in CO₂ emissions for the average shopping trip journey, equating to a -7.98% reduction. Moreover some 85% of all trips would afford a reduction in emissions of -16.34%.
- The shopping trips outputs also indicate that the proposals would result in reductions in travel-time costs equating to some -6.87% for the average journey and -14.28% for 85% of all journeys.

The TAS concludes that *“it is evident from the above analyses that the application site would have some modest benefit to some journeys and that these may be offset to some small degree by negligible impacts on other journeys. The over-arching conclusion supporting by the analysis, however, is that a residential development of the brownfield site at North Weald Golf Club would not result in any material impacts in respect of the environment or economy than a comparable development located within North Weald”*.

LPA Assessment:

The decision has previously been made that the site is located within an unsustainable location whereby the main reliance of day to day travel would be by private motor vehicle. Whilst additional analysis and information has been provided regarding walking and rail travel this simply highlights that these would be unlikely to be viable modes of transport for everyday trips (such as commuting and shopping). However it has been shown that cycling could be a viable alternative mode of transportation, particularly for leisure trips or top up shopping. The provision of a free bicycle for each of the residential apartments would assist in encouraging this mode of transportation.

Furthermore the site is now served by a bus route, which runs approximately once an hour between 06:42 and 17:42 Monday to Friday (although there is a possibility of this being extended). Letters have been received from the bus company confirming this agreement and highlighting that they are seeking to continue this service. Nonetheless the applicants are proposing to provide a bond to be available should the current (or any subsequent) bus company consider the route to be unviable, which would be used to subsidise or fund the continuation of the bus service during this time period. The maximum monetary amount for the bond and length of time that this should be available is currently under negotiation and therefore will be verbally reported to Members at the Committee meeting.

It is considered that some trips from the site would be made by foot and rail services (accessed by taxi), however these would be a minority of trips. Whilst it is still considered that a large amount of trips would be made by private car use the presence and continuation of the new bus service and the encouragement of cycling would increase the sustainability of the site in terms of transportation. It is considered that this, combined with the relatively small increase in terms of vehicle traffic, the social and economic benefits of the scheme, and the comparison with a similar scheme within North Weald, would be sufficient, on balance, to overcome the previous reason for refusal and to make the development acceptable in line with the NPPF and the relevant Local Plan policies.

There have been no objections received from the Essex County Council Highways Officer, subject to conditions.

Comments on Parish Council Objection:

The Parish Council have objected to the proposed development for the following reasons:

- 1. The proposal is unsustainable in the area, out of character with the area and the surroundings, concern at the amount of generation of traffic throughout the whole of the day, concern at the lack of amenity space for each dwelling, concern at the height of the proposal being that it shows 3 storey dwellings.*
- 2. Members have a concern that with 3 golf courses in the area that development such as this may set a precedent.*
- 3. There is no Legal Agreement for the New Bus Service and this service could be ended as soon as planning Approval is granted. The idea of Cycles for each dwelling does nothing to improve the sustainability if the application as there are no Cycle Lanes attached the proposal therefore it is still not sustainable.*
- 4. Concern at the Car Parking – if you look at the CIBSE Guide which should be relevant to this proposal due to it having a football pitch, golf course, a hairdressers and a nursery on site then there are insufficient parking spaces proposed in total. Especially as the turning circle for a bus would take away some of the area.*

The sustainability of the site is dealt with above. The remainder of the issues in items 1 and 2 are a repeat of the comments submitted on EPF/0183/15 and therefore have already been assessed by the Council.

Point 3 has been dealt with above, and it is shown within the TAS that there is a network of public footpaths within close proximity of the site.

Point 4 refers to the proposed car parking on the site. The application site provides adequate off-street parking provision for the new residential development in compliance with Essex County Council Vehicle Parking Standards. Reference has been made to the CIBSE Guide, however it is unclear as to how this is relevant to the proposal since this guide is not an adopted document nor is it a commonly referenced document with regards to developments such as this.

Concern has been raised that the turning circle of the new bus would result in the loss of parking to the existing businesses on the site. Notwithstanding this, the bus stop is already on site and does not require planning consent. Furthermore the parking area serving the existing business uses on site are outside of the application site area and therefore are not under consideration in this application.

Other considerations:

The proposed development is unaltered from the previous application. Since the only reason for refusal on the previous application was on sustainability grounds all other factors have been determined as being acceptable. Nonetheless the assessment of these issues is reproduced below.

Green Belt:

The application site consists of an existing clubhouse, redundant Essex Barn and a section of the larger car park all of which are used as part of the established golf club. As such the application

site constitutes previously developed land since the definition provided within Annex 2 of the Framework reads:

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreational grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

The National Planning Policy Framework states that the erection of new buildings within the Green Belt constitutes inappropriate development with a number of exceptions, which includes “*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*”.

The proposed block of flats would sit roughly on the same footprint as the existing clubhouse and detached Essex Barn and would match the eaves and ridge height of the existing building. Whilst the proposed new building would infill the area between the clubhouse and the Essex Barn, planning consent was previously granted for the extension of the clubhouse and conversion of the barn into hotel accommodation (EPF/2112/05). This application has been implemented in part and as such is an extant permission. Therefore the approved extension and conversion of the barn could be undertaken at any time without the need for any further planning permission. This is a viable and realistic fallback position that is given significant weight in this application.

With regards to the impact on the openness of the Green Belt, the proposed new development would be no higher (eaves or ridge) than the existing clubhouse and would have a volume of 6430m³. The existing buildings (the clubhouse and barn) have a combined volume of 4767m³, which means that the proposed new building would be 35% larger than the existing buildings on site. However, as stated above, there is an extant permission to extend the existing clubhouse. When considering this addition, which would raise the overall volume of existing building to 6960m³, the proposed new development would result in an 8% reduction in the level of built form that could be on site. Due to this fallback position it is considered that the proposed new building would not have a greater impact on the openness of the Green Belt than the existing (and extant) buildings on site and therefore would not constitute inappropriate development.

Impact on recreational use:

Prior consent has already been granted for the demolition of the existing clubhouse, and the proposed development would ensure the complete loss of this established leisure facility. However the existing clubhouse functions would not be lost from site but would be relocated to the existing five-a-side football clubhouse located to the north of the application site (beyond the adjacent day nursery). The reasoning for this is that it is claimed that the existing clubhouse is now too large for purpose and there is no need to have two clubhouses on the one site since the golf clubhouse is predominantly used during the day in the week whereby the football clubhouse is mainly used during the evenings and weekends. Therefore combining both facilities within a single building would make better use of a single clubhouse and would allow for services to be combined (i.e. reception, cleaning, etc.), which is more economically viable. Planning consent is not required for the proposed combination of facilities into the existing five-a-side football clubhouse. A condition could be imposed to ensure that the facilities are relocated to the existing football clubhouse to

ensure that the outdoor recreational use of the site (the golf course) is not lost and to protect against any future pressure to provide an additional clubhouse to replace that lost through this application.

Amenity considerations:

Given the location of the application site the only adjacent neighbouring residential property is Little Weald Hall, which would be separated from the proposed development by a large existing commercial building that suitably screens the site from this neighbour. The footprint of the proposed flats would be similar to the existing clubhouse and Essex Barn and the eaves and ridge height would be no higher than the existing clubhouse and therefore the physical impact and outlook from the neighbouring site would be similar to the existing situation.

The future residents of the proposed new dwellings, being located on an established golf course between a day nursery and five-a-side football pitches and the adjacent commercial building, would suffer from some disturbance from these established uses, primarily due to traffic movements and any associated outdoor activity, however it is not felt that the impact from these adjoining uses would be significant. Furthermore current Building Regulations require adequate sound insulation and protection be incorporated into new residential units and any future occupants of the site would be aware of the surrounding uses and therefore there would be an element of 'buyer beware' regarding this matter.

Residential properties are expected to be provided with either private or, in the case of flats, communal amenity space. The recommended level for flats, as laid out within the supporting text of DBE8, is 25m² for each unit, however it has been accepted that properties with good access to public open space can be considered acceptable with a lesser amount of amenity space provided, particularly when considering flats such as those proposed that are less likely to be occupied by large families. Given the surrounding levels of open space and public footpaths within close proximity of the site it is considered that a lower level of private amenity space could be provided within the proposed development. Each of the proposed flats would benefit from a private balcony and/or roof terrace that would provide individual sitting out space for future residents, which is considered sufficient in this instance to comply with Local Plan policy DBE8.

Highways:

The application site would utilise the existing access to the Golf Club. The existing access onto Rayley Lane has good geometry and excellent visibility in both directions. The accident data for this location shows that there have been no accidents recorded along this stretch of Rayley Lane and the proposed increase in vehicle movements would not be significant enough to cause any detrimental impact on highway safety, capacity or efficiency.

The ECC vehicle parking standards would require one off-street parking space for each of the 1 bed flats and two off-street parking spaces for each of the 2 and 3 bed units (which totals 35 spaces) plus 0.25 unallocated visitor spaces per unit (which would equate to a further 5 spaces). The application proposes this amount of spaces split into 35 dedicated and secure resident spaces and 5 unallocated 'visitor' spaces, which would be compliant with the vehicle parking standards. Furthermore there is ample additional parking within the Golf Club complex (outside of the red lined application site but within the area owned by the applicant) that could serve any additional parking required for the development along with the existing clubs/businesses and any overspill visitor parking.

An internal bicycle parking area is proposed within the proposed new building as well as a dedicated bin storage area that is easily accessible to waste operatives and collection trucks.

Impact on surrounding area:

The proposed new block of flats would be of a similar scale and height to the existing club house and Essex Barn and is located within a complex containing several buildings varying in size and design. The overall design of the proposed new building would be relatively traditional with dual pitched roofs, slate type roof slates, and a mixture of buff brick and render facing material, however would incorporate some more modern design elements such as the design of the windows, the inset gable roof terraces and the glazed stairwells. Given the relatively isolated nature of the site and mix of buildings currently on the site it is considered that the overall character and appearance of the proposed development would be acceptable and would not be harmful to the surrounding area.

There is no existing vegetation within the area proposed for development and it should be possible to use existing hardstanding as the working area to ensure that construction materials, etc. do not encroach on any areas of existing landscaping. The proposal provides an opportunity to undertake landscaping to soften the impact of the development when viewed from the surrounding open countryside, and a landscaping condition can be imposed to ensure that this takes place.

Housing considerations:

Whilst the built up area of North Weald has a population greater than 3,000 the application site is far removed from the town and therefore would not be considered to be in this settlement. As such the application site falls under H6A (ii), which relates to “*settlements with a population of 3,000 or less*”. H6A (ii) (b) specifically relates to previously developed sites within these areas, which the application site constitutes, and requires affordable housing provision on such sites where they are “*0.2ha or larger*”. Since the application site (the red line as shown on the Location Plan) only measures 0.195ha there is no requirement to provide for affordable housing on this site, irrespective of the number of residential units proposed.

The proposal complies with policy H2A since it would involve the reuse of previously developed land for residential purposes and the provision of 1, 2 and 3 bed flats would comply with policy H4A, which encourages a mix of dwellings including smaller units.

Education:

Essex County Council Educational Services have assessed the application and state that this development would fall in the priority admissions area of St Andrew's CE Primary School (North Weald). The school occupies buildings with a net capacity of 297 places however in most years it is expected to admit 45 children, which equates to a need for 315 spaces. Looking at the wider area, the Epping group of schools is forecast to have a deficit of 137 places by 2018/19. This proposed development would add to this demand for primary school places and therefore a financial contribution is required to help provide additional accommodation at St Andrew's CE Primary. Based on fifteen qualifying flats (the 2 and 3 bed units) the contribution has been calculated to total £24,374, index linked to April 2014 costs.

Due to the size and types of dwelling proposed the development would not generate a significant demand for additional Early Years and Childcare provision. The Secretary of State for Education recently decided to permit the opening of a Free School in Ongar which would also negate any shortfall in secondary school places. However since the development lies over three miles from the closest secondary school there would be an impact in terms of school transport. For this academic year, this can be estimated at £5,704 (index linked) based on a figure of £3.90 a day; 0.1 places per qualifying flat and funding for a single five year secondary cohort (195 days per academic year).

Due to the above a total contribution of £30,078, index linked to April 2014 costs, would be required in order to ensure that the proposed development does not detrimentally impact on the existing educational services of the area. This should be sought by a S106 Legal Agreement.

Ecological impacts:

The application has been submitted with an Ecology Statement. Subject to conditions to protect bats, hedgehogs and birds, and adequate landscaping being approved, the proposed development would not be unduly detrimental to the ecology of the site and surrounding area.

Contamination:

Due to the former uses of the site as a farmyard and the presence of a 400m² infilled pond there is the potential for contaminants to be present on site. As this application is for residential development, which is a particularly sensitive proposed user, contaminated land investigations and (where necessary) remediation will need to be undertaken.

Land drainage:

The proposed 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 should be agreed, which can be achieved by way of a condition.

It is proposed to dispose of both foul and surface water by main sewer, however it is unclear as to whether there are any main sewers at this location. Therefore a condition requiring further details as to the disposal of foul and surface water drainage will be necessary.

Conclusion:

The proposed erection of a block of flats to replace the existing clubhouse and Essex Barn would constitute the redevelopment of this previously developed site. Whilst larger in footprint than the clubhouse and barn currently on site the proposed development would be smaller than the extant consent to extend the existing clubhouse and utilise the Essex Barn for residential purposes and would be no higher than the existing building. Due to this, and the location of the site within the built up part of the established Golf Club site, the proposal would not have a greater impact on the openness of the Green Belt and therefore would constitute an exception to inappropriate development.

The design and layout of the proposed development would be acceptable and would not result in any loss of amenity to surrounding residents and there would be sufficient off-street parking, bicycle parking and refuse storage provided to serve the development. Each of the proposed new flats would also benefit from a private balcony or roof terrace and additional landscaping would be added to soften the appearance of the proposal. The existing golf club facilities have been relocated to the nearby football clubhouse so the recreational golf use on the site would not be lost.

Whilst the development was previously refused consent due to its unsustainable location it is considered that the presence (and retention) of the new bus service and the encouragement of cycling through the provision of a bicycle to each residential apartment would, on balance, be sufficient enough to overcome the previous reason for refusal. Therefore the proposed development would generally comply with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval (subject to legal agreement).

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