

# Committee Agenda



## Epping Forest District Council

### **Area Planning Sub-Committee East Wednesday, 11th May, 2016**

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, 11th May, 2016  
at 7.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

J Leither Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### **Members:**

Nominated Councillors to the Sub-Committee from the Appointment Panel 2015/16 and Councillors elected on 5 May 2016

PLEASE NOTE THAT MEMBERS RE-ELECTED BEFORE THIS MEETING BEGINS WILL BE REQUIRED TO SIGN THEIR DECLARATION OF ACCEPTANCE OF OFFICE BEFORE PARTICIPATING IN ANY DECISION MAKING.

#### **WEBCASTING/FILMING NOTICE**

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

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

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

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

**1. WEBCASTING INTRODUCTION**

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

2. The Chairman will read the following announcement:

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

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

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

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

General advice to people attending the meeting is attached.

**3. MINUTES (Pages 9 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee held on 4 April 2016.

**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, 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.

**7. DEVELOPMENT CONTROL (Pages 19 - 46)**

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

Background Papers:

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

**8. EXCLUSION OF PUBLIC AND PRESS**

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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.

**Background Papers:** Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

### **How are the applications considered?**

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

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

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

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

**Further Information?**

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

Area Planning Subcommittee East 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:** 6 April 2016  
East

**Place:** Council Chamber, Civic Offices, **Time:** 7.30 - 8.05 pm  
High Street, Epping

**Members Present:** S Jones (Chairman), P Keska (Vice-Chairman), N Avey, A Boyce, T Church, A Grigg, M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, B Surtees, C Whitbread, J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** N Bedford, H Brady, W Breare-Hall and G Waller

**Officers Present:** J Shingler (Principal Planning Officer), R Perrin (Democratic Services Officer) and P Seager (Chairman's Secretary)

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### 77. 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.

### 78. 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.

### 79. MINUTES

**RESOLVED:**

That the minutes of the meeting held on 9 March 2016 be taken as read and signed by the Chairman as a correct record.

### 80. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

**81. ANY OTHER BUSINESS**

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

**82. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 1 – 2 be determined as set out in the schedule attached to these minutes.

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2811/15
<b>SITE ADDRESS:</b>	Barkers Farm Mount End Road Theydon Mount Epping Essex CM16 7PS
<b>PARISH:</b>	Theydon Mount
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of existing building to create a two bedroom dwelling; alterations to roof form and external appearance; formation of residential curtilage.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=580355](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580355)

**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: 1, 2 & 3
- 3 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, enlargements to the roof or outbuildings with a volume exceeding 10 cubic metres generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 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]

- 5 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]

- 6 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]

- 7 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.

- 8 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.

- 9 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.
- 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 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 12 Prior to commencement of development details of boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority and the agreed treatments shall be installed prior to the first occupation of the building as a dwelling and thereafter retained.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/3148/15
<b>SITE ADDRESS:</b>	Blunts Farm Coopersale Lane Theydon Bois Epping Essex CM16 7NT
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 2 'plan numbers' on planning application EPF/2898/14 (Replacement dwelling house).
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=581302](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581302)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than 15 July 2018.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawing nos: FIM P3A\_03 Rev A
- 3 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 4 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
  
- 5 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
  
- 6 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
  
- 7 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 10 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargement or outbuildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 13 Other than that previously approved in writing by the Local Planning Authority, no external lighting shall be provided at the application site.



- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the integral garage that forms part of the dwellinghouse hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
  
- 15 A post and rail fence (up to 1m in height) shall be erected around the boundary of the red lined application site, prior to the first occupation of the dwelling hereby approved, and thereafter retained.
  
- 16 Works to construct the house hereby approved shall not be commenced until the existing house at the application site has been demolished in its entirety and all resulting waste material removed from the site and adjacent land identified as being in the Applicant's ownership.

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## AREA PLANS SUB-COMMITTEE 'EAST'

11 May 2016

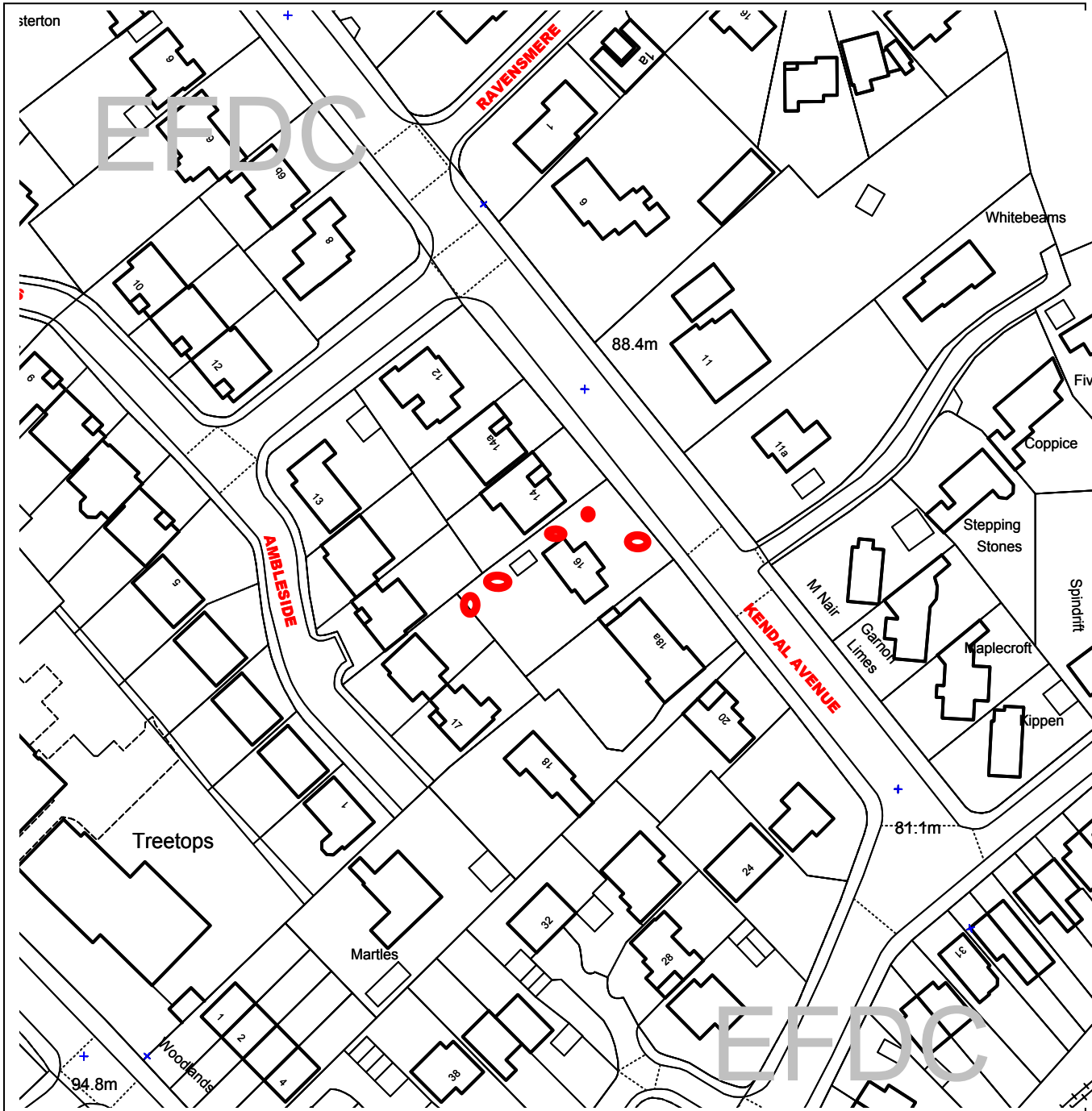
### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0428/16	16 Kendal Avenue Epping Essex CM16 4PN	Split Decision: Grant Permission (with conditions): T7, T8. Lawson's Cypress – Fell. T5 Indian Bean Tree – Crown Lift by 1.5m, as specified. T9 Oak –Crown thin, as specified. Refuse Permission: T6 Lawson's cypress - Fell	20
2.	EPF/0119/16	16 Tower Road Epping Essex CM16 5EL	Grant Permission (With Conditions)	26
3.	EPF/0255/16	9 Glebe Road Ongar Essex CM5 9HW	Grant Permission (With Conditions)	32
4.	EPF/0531/16	5 Highfield Place Epping Essex CM16 4DB	Grant Permission (With Conditions)	38



# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/0428/16
Site Name:	16 Kendal Avenue, Epping, CM16 4PN
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0428/16
<b>SITE ADDRESS:</b>	16 Kendal Avenue Epping Essex CM16 4PN
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr James Taylor
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/45/91 T6, T7, T8 3x Cypress: Fell and replace with agreed replacement species. T5 Indian Bean Tree: Raise crown by 1.5 m. T9 Oak: Thin the crown, as specified.
<b>RECOMMENDED DECISION:</b>	Split Decision: Grant Permission (with conditions): T7, T8. Lawson's Cypress – Fell. T5 Indian Bean Tree – Crown Lift by 1.5m, as specified. T9 Oak –Crown thin, as specified. Refuse Permission: T6 Lawson's cypress - Fell

**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=582656](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=582656)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 The crown thinning to T9.Oak authorised by this consent shall consist only of the removal of minor branches under 75mm in diameter at a rate of one branch in 8 to maintain a natural appearance. It shall result in no reduction of height or spread of the crown.
- 3 The crown lifting authorised by this consent shall extend only to the whole or partial removal of branches necessary to give 3.5 metres clearance above ground level.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998:2010 (Tree work - recommendations) (or with any replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

- 6 The works hereby authorised shall be undertaken only within the periods indicated 1st January to 1st March inclusive and 1st July to 1st September inclusive.

## **REASON FOR REFUSAL**

- 1 Although it is recognised that T6 Lawson's cypress is a dominant feature this is not sufficient to justify the loss of its visual and other amenity. The loss of the tree's existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

*This application is before this Committee since the recommendation is for partial approval contrary to objections from a local council, residents and a group 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 Proposal:**

T6,7 and 8. Lawson's Cypress. Fell.  
T5. Indian Bean Tree. Raise crown by 1.5m  
T9. Oak. Thin crown by 30%

### **Description of Site:**

The property is a detached residential dwelling located towards the lower end of this leafy, suburban residential street. The trees across the site have varying landscape presence within the street scene. T6 Lawson's cypress, stands approximately 10 metres tall near the front boundary, beside a low walled gravel driveway. T5 Indian bean tree is a mature specimen planted on a boundary bank beside the car parking area. T7 and T8 Lawson's cypress are both over 15 metres tall but less prominent in the general avenue landscape. T9 Oak is a good, very large and naturally grown specimen with a broad crown, which dominates the rear corner of the modest garden. There is also a well formed, 12 metre tall Lawson's cypress growing to the rear of the dwelling near to the south eastern side boundary.

### **Relevant History:**

EPF/2835/14 proposed a flat block conversion with underground car parking but was refused permission.  
EPF/1783/15 proposed 4 two bed flats, which is was refused but currently awaits consideration at appeal.

### **Policies Applied:**

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

*'the Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree'.*

## **SUMMARY OF REPRESENTATIONS**

EPPING TOWN COUNCIL – members object to the proposed felling of these trees due to the negative impact on the street scene their loss will produce as integral part of the character of the area.

THE EPPING SOCIETY – objects on the grounds that there is no permission for the proposed redevelopment and therefore no requirement to fell trees.

6A KENDAL AVENUE – objects to the loss of TPO features.

15 AMBLESIDE – 2 letters of objection to the felling of T6, 7 and 8, Lawson's cypress, citing the harm to the beauty of the established landscape in this sought after area. 'To make a nicer garden' is not a good reason to fell trees.

17 AMBLESIDE – objects to the raising of the canopy of T5 Indian Bean Tree due to the loss of privacy this will have and to the felling of the conifers T6, T7 and T8 due to their scale and the detrimental impact their removal will have on the look of the Kendal Avenue environment.

## **Issues and Considerations:**

### Introduction

The applicant's stated aim is to provide more light into the site and improve the gardens with a selection of broadleaf ornamental varieties. There are concerns about safety of T7 Lawson's cypress.

The reasons for the application are listed, as follows:

- i) The dense, dark cover created by these non native cypress trees is undesirable.
- ii) The low amenity of T6 justifies its replacement with an ornamental choice.
- iii) T7 is dangerous with considerable rot at its base, which can be easily penetrated by a metal probe.
- iv) T8 is of low amenity and growing up through T9 Oak.
- v) A list of 7 ornamental species with outstanding aesthetic qualities is provided to support the case for providing light and interest into the garden

### Considerations

The main planning considerations in respect of the pruning work are:

#### *i) T5. Indian Bean Tree.*

The tree has clearly undergone some remedial pruning in the past, is of an uneven crown shape and structure and would tolerate a careful crown lift of small diameter branches under 60mm in diameter to suitable branch forks. Any loss of privacy to the neighbouring property would be minimal and not sufficient to prevent a 1.5 metre crown canopy height increase above the drive. This part of the proposal is acceptable with a specified condition to ensure control of pruning cuts.

#### *ii) T9. Oak*

This magnificent tree shows no signs of pruning intervention and would not be unduly harmed by some selective thinning and crown cleaning works. 30% of all foliage area is excessive and a recommendation would be to selectively prune out those crossing or subordinate competing smaller branches under 75mm in diameter in the core of the crown to good branch unions to leave

a well structured canopy structure in place without any height reduction or significant loss of spread.

The considerations for the felling element of the proposal are:

i) Visual amenity

T6. Lawson's cypress has high public amenity, being visually prominent in Kendal Avenue despite its relatively modest height. It has a looping and wide branch structure, which adds to its ornamental interest.

T7. Lawson's cypress at over 15 metres tall is clearly visible from the lower end of Kendal Avenue and has a good narrow form, typical for the species. Its public amenity is lessened by its location to the side of the house and by the screening of neighbouring large broadleaf trees.

T8. Lawson's cypress is a tall but largely unseen specimen, growing up through the dominant crown of T9. Its public amenity is low.

ii) Tree condition

T6. Despite its curving branch work, this tree has good vigour and no signs of previous branch failure. Its ornamental variety accounts for its unusual form but does not appear to compromise its structural integrity.

T7 Lawson's cypress is said to be suffering from considerable rot at its base such that a probe can be easily inserted into it. No external visual signs of this were observed but structurally the tree is compromised by a tight fork in the lower stem at around 1.5 metres above the base. This has produced a swelling on the stem where extra tissue has rapidly developed to compensate for included bark growing at this stress point in the main trunk. It is also likely that the rooting stability of the tree is compromised by the retaining wall, which has become distorted due to the pressure of the tree's roots growing against it.

T8 Lawson's cypress has a twin stemmed form and is suppressed by the large oak. Like T7 these two stems may develop structural issues in time.

iii) Suitability of tree in current position

T6 is highly suitable in its prominent location at the front of the property.

T7 is not well located between the two houses, on a raised bed by the boundary fence. Despite its fastigate form, it imposes itself so close to the flank wall of the neighbouring property.

T8 is engulfed by T9 and cannot grow well in this location. It is incompatible amongst the branches of the oak.

iv) Replacement options

The applicant offers to replace the trees with a good selection of ornamentals. This will substantially mitigate for the loss of T7 and T8 but will not adequately compensate for the loss of T6, which is a fully grown ornamental, healthy specimen.

v) Privacy issues

A large Cherry laurel screen to the rear establishes a strong evergreen privacy. A controlled amount of crown thinning to T9 Oak will not significantly diminish neighbouring privacy.



**Conclusion:**

The proposal does not provide an argument to justify the removal of T6 Lawson's cypress and its loss would have a significant harm on the landscape character of the locality. It is therefore recommended to refuse permission for the removal of this tree. The proposal in this instance runs contrary to Local Plan Landscape Policy LL9

There is justification for the need to remove T7 and T8 Lawson's cypress and therefore it is recommended to grant permission to fell T7 and T8 in accordance with Local Plan Landscape Policy LL9.

Pruning proposals are dealt with under delegated officer powers but are generally acceptable with modifications, as set out in the recommended conditions. Subject to these specifications, they are in accordance with Local Plan Landscape Policy LL9.

In the event of members agreeing to allow the felling, it is recommended that a condition requiring suitable replacements and prior notice of the works to remove them be attached to the decision notice.

**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: Robin Hellier**  
**Direct Line Telephone Number: 01992 564546**

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



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/0119/16
Site Name:	16 Tower Road, Epping, CM16 5EL
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0119/16
<b>SITE ADDRESS:</b>	16 Tower Road Epping Essex CM16 5EL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Polly Hayward
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of 2 bedroom bungalow into 5 bedroom house incorporating single storey rear extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=581964](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581964)

**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: 1883-1A, 2A, 3A, 4, 5, 6, 7, 8, 9 Block Plan, Site Location Plan
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to two objections 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 within the built up area of Epping and contains a bungalow set in a relatively narrow plot with a deep rear garden typical of the surrounding linear properties fronting the highway. The surrounding dwellings are largely two storey in nature. The front boundary is demarcated by a low rise brick wall, small garden area and an area of hard standing. A number of

small trees define the common boundaries to no. 14 and 18 but none are TPO'd. One off street car parking space is located to the front with associated drop kerb access.

**Description of Proposal.**

Planning permission is sought for the conversion of the existing 2 bedroom bungalow to form a 5 bedroom dwelling house.

The proposed development would increase the height of the bungalow from 5.7m to 8.6m at the highest point of the gabled roof. The existing width of 8.05m will remain unaltered. The existing depth of 11.3m will remain largely unaltered. However, a single storey ground floor extension is proposed which projects a further 3m, is full width at 8m and is 3.25m high. The configuration of fenestration to the rear conforms to the existing arrangement of the surrounding two storey dwellings.

The front elevation will incorporate a canopied porch and minor ground floor front addition which measures 0.6m in depth and is the full width of the existing dwelling. As with the rear, the configuration of fenestration conforms to the existing arrangement of the surrounding two storey dwellings.

The gabled roof design and the footprint of the proposed dwelling mirrors that of the neighbours and the dwellings within the immediate locality.

The existing low rise brick wall and small garden area will be removed in order for the existing hardstanding an off street parking area to be extended to accommodate two vehicles.

**Relevant History:**

No planning 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  
CP7 – Urban form and quality  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas.  
DBE9 – Excessive loss of amenity to neighbouring properties  
H2A – Previously developed land  
ST6 – Vehicle parking

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

**Consultation Carried Out and Summary of Representations received:**

Neighbourhood consultation letters where sent to no's 11, 13, 14, 14a, 18 and 20 Tower Road and 1, 3, 5 Regent Road.

EPPING SOCIETY - The Epping Society where consulted and consider the proposal to be an overdevelopment of the site and state that "*the bedroom windows will overlook the rear gardens of no.18 and 14. This will result in a loss of amenity for neighbouring properties. The loss of another bungalow from the town's housing stock is regretted.*"

PARISH COUNCIL - Parish Council comments refer to:

*“The proposal is an overdevelopment of the site which will result in the loss of yet another bungalow. Allowing these conversions will have an adverse effect on the supply of this type of housing, reducing local choice, diversity and the mix of dwelling types of available, contrary to policy H4A, which expressly recommends refusing conversions which would adversely affect the range and mix.*

*There is a continued demand for this type of property amongst those wishing to live independently without stairs or downsize, so the constant conversion of bungalows is reducing choice.”*

18 TOWER ROAD - Comments were received from 18 Tower Road highlighting that the *“The architects drawings do not show the building in context to the properties on either side so it is difficult to know the height of the house compared to our own and the exact impact on loss of light/ loss of privacy and overshadowing.”* In response a block plan was requested, submitted and a copy sent directly to the no.18. Further comments were received relating to the *“loss of light and privacy as well as overshadowing from the overbearing extension.”*

### **Issues and Considerations:**

The main issues that arise from this application relate to the principle of development, the design and impact upon the street scene, residential amenity, parking and the responses of consultees and neighbours.

#### Principle of Development:

The site is not within the Green Belt or a Conservation Area and a two storey dwelling at this location would be in compliance with local policies. What is proposed is a much more substantial use of land as encouraged by local plan policies H2A and national guidance which also encourages the efficient use of land. Therefore the principle of a two storey dwelling in this position is acceptable as the land currently comfortably accommodates a bungalow which benefits from an adequate footprint. An additional storey to the existing bungalow in this location would potentially conform to the general character of this area.

#### Design

The dwellings forming Tower Road are predominantly two storey detached and semi detached dwellings of a very similar design, footprint and layout which create a consistency within the streetscene. Of the many properties forming Tower Road only three are bungalow dwellinghouses namely no.14a, 26 and the subject site. The predominant two storey nature of the surrounding dwellings allows for greater scope in terms of the design in the extension and alterations to the existing bungalow.

The existing hipped roof will be replaced with a first floor addition incorporating a gabled roof structure which is rendered and flush with the existing front elevation and repeated to the rear. This design element is consistent with the adjacent neighbour no.18 and the surrounding two storey dwellings. The configuration of the ground floor fenestration has not been altered and conforms to the design of the existing bungalow. Two windows are proposed at first floor which are identical to the design and positioning of those at ground floor and mirror the first floor windows within the surrounding two storey dwellings for example no's 20, 22, 26 and 28. Two windows are to be retained within the south eastern side elevation at ground floor. No additional windows are proposed at first floor level within the side elevations to the south east and north west.

In terms of alterations to the rear, the proposed single storey rear extension will effectively square off the existing staggered footprint. At full width, the proposed extension will abut the common

boundary to no.18 and projects 1.25m forward of the established rear building line of this property. The extension is off-set from the common boundary to no.14 by 1m. The configuration of the fenestration at ground floor has been altered slightly with the removal of a centrally located window. Three windows are proposed within the first floor which mirror the configuration of the surrounding two storey dwellings. The proposed tiled gable roof, painted render finish and upvc double glazed windows match the surrounding two storey dwellings.

The proposed conversion will create a two storey dwelling which is coherent and reflects the established pattern of development in terms of height, footprint, bulk, scale and massing and in this respect cannot be considered as an overdevelopment of the site. Overall the elevational design of the proposal to the front and rear is in harmony with the character and appearance of the host building and the surrounding area. As such the proposal conforms to council policies DBE10.

### Amenity

In general, it must be remembered that an extension can seriously disadvantage a neighbour by being overbearing in size and scale, create a loss of privacy and reducing the level of daylight. It is therefore, necessary to control the scale and form of extensions to ensure neighbours' amenities are protected. The amenity and privacy of neighbours must be considered before undertaking any extension.

Concerns have been raised that the introduction of windows within the first floor rear elevation will result in overlooking to the rear gardens of no's 14 and 18. Where dwellings are located within a compact urban grain such the subject site it is accepted that there is an element of overlooking from first floor rear windows. No rearward projection is proposed at first floor and at this point the proposed development is set back 2.6m from the established rear building line of no.18 and 1.6m from no.14. It is considered that this staggered building line significantly reduces the impact of the proposal upon the residential amenity of neighbouring occupiers and no issues of overlooking will arise over and above that which is currently accepted within this particular type of streetscene and urban grain. In terms of loss of privacy, no overlooking balconies and roof terraces are proposed. Therefore the proposal would not create unacceptable privacy issues.

An objection has been raised due to the over bearing nature of the ground floor extension which would result in a loss of light, privacy and create overshadowing to no.18. The proposed rear extension is limited in terms of height, bulk and massing and is significantly smaller that that which could be achieved using the permitted development rights currently afforded to the bungalow dwelling. It is considered that the limited rearward projection combined with the existing staggered rear building line and existing boundary treatment will reduce the impact of this element of the proposal upon the neighbouring dwellings and would not create and sense of enclosure or result in a loss of amenity.

Overall, the depth of the ground floor extension when taking into account the existing dwelling, its height and its orientation would not result in an unneighbourly and overbearing form for development which would adversely affect the amenity of the occupants of no.14 and 18. As such, the proposal confirms to Policy DBE2, DBE9 of the Local Plan.

### Highway and Parking

The existing low rise brick wall and small garden area will be removed in order to extend existing hardstanding and retain one off street parking. At 5m deep the resulting hardstanding will be sufficient to accommodate one vehicle parked vertically. This is considered acceptable and conforms to Policy ST6 of the Local Plan.

### Loss of a Bungalow

Whilst the government seeks to ensure a suitable mix of dwellings for the future there is no policy within the NPPF or the adopted Local Plan which seeks to prevent the conversion of bungalows to two storey dwellings. As such there are no policy grounds for refusal.

### **Conclusion**

Therefore the balance of considerations with this proposal would ensure that the application complies with the guidance contained within the National Planning Policy Framework and Local Plan policies and CP1, CP2, CP3, CP6, CP7, H2A, DBE2, DBE3, DBE9, DBE10 and ST6 the application is now recommended for approval, subject to conditions.

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

**Planning Application Case Officer: Nicola Dawney  
Direct Line Telephone Number: 01992 564000**

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



# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/0255/16
Site Name:	9 Glebe Road, Ongar, CM5 9HW
Scale of Plot:	1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0255/16
<b>SITE ADDRESS:</b>	9 Glebe Road Ongar Essex CM5 9HW
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Mr Danny Dyer
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side and rear extensions incorporating new internal garage. Single storey front and rear extensions.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=582293](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=582293)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the western first floor flank elevation and rear first floor elevation, 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 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:**

Glebe Road is a relatively short road that provides access to predominantly semi-detached properties that have well established front building lines, and well related to their medium sized plots of land. The application site contains a two storey semi-detached house and it is located on the northern side of Glebe Road. There is a single storey projection and detached side garage which would all be demolished. At the time of my site visit, the attached neighbour no.11 Glebe Road was undergoing some construction works for a recently approved two storey side and single storey rear extension, including front porch. The site is not in a conservation area nor listed.

### **Description of Proposal:**

Two storey side and rear extensions incorporating new internal garage. Single storey front and rear extensions.

Details and Dimensions:

- Two storey side extension:
  - This would result in the demolition of a side attached garage.
  - Width: 5m.
  - Height: 8m from ground floor level to ridge height. (to match existing)
  - Roof: hipped and continues from the roof of the existing house.
  - Set in from plot side boundary: 1.1m.
  - Incorporates integral garage.
  - It will join the two storey rear element and measures 9.9m in depth from the front to the rear.
  
- Two storey rear extension:
  - This would be linked to the two storey side element.
  - It would project beyond the rear wall of the original house by 3.2m in depth.
  - Height: 7.4m.
  - Width: 5.3m, not covering the full width of the application building.
  - Set in by 5.6m at first floor level from the common boundary with the attached property.
  - Roof: hipped with lower ridge height.
  
- Single storey front extension:
  - This would incorporate the main entrance door area and an integral garage.
  - Depth: 1.2m.
  - Width: 7.3m.
  - Height: 3.6m.
  - Roof: pitched with gable feature over front entrance door.
  
- Single storey rear extension:
  - This would be sited next to the attached property no.11 Glebe Road.
  - Depth: about 3.2m.
  - Width: 5.6m.
  - Height: 3.5m.
  - Roof: Mono pitched with 3no roof lights and rear bi-folder patio door.
  - This element would mainly occupy the footprint of the similar existing extension that it

would replace.

### **Relevant History:**

No relevant site history.

### **Policies Applied:**

CP2	Protecting the Quality of the Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST4	Road Safety
ST6	Vehicle Parking

The National Planning Policy Framework (NPPF) 2012;

The NPPF was published on the 27 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**

Date of site visit: 02/03/2016.

Number of neighbours consulted: 7

Site notice posted: No, not required

Responses received: 1 response was received from the neighbour at no. 7 Glebe Road objecting to this application as originally submitted and revised. The grounds of objection are summarised below:

1. Overdevelopment of the site.
2. Two storey side extends beyond the rear building line approximately 3m.
3. Large pitched roof form, out of character.
4. Out of keeping with the attached house and general locality.
5. Harmful to the street scene.
6. It would be an eye sore in the locality/street.
7. Loss of sunlight into our rear garden area/extension.
8. Overshadowing of my rear garden.
9. Loss of privacy from overlooking into my property.
10. Parking issues on road will be far worse.

ONGAR PARISH COUNCIL : objected to this application due to over-development of the site, the overlooking of neighbouring properties and feel that should this application be approved it could set an unwelcome precedent.

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

The main issues for consideration in this case are:

- Design.
- Living Conditions.
- Parking.

### Design:

The proposed development has been revised since its original submission to address the concerns of the Local Planning Authority regarding the design of the scheme as a whole. Each element of the proposal is discussed below:

- Two storey side element:

This element of the proposal would be of a significant width at 5m in comparison to the width of the original house at 6m. It should be brought to your attention that the attached property no.11 Glebe Road was also recently granted planning permission for a similar two storey side extension of a significant width at 5.3m when compared to the width of existing house of 6m. As the application building is one of the symmetric pair of the semi-detached property, the proposed development would result in the lateral spread the building within the site. However, it would not be substantially greater in scale and mass than some existing buildings in the street scene and wider area. This element would also maintain more a 1m separation distance from the side boundary as required by Policy DBE10.

- Two storey rear element:

This element would link with the two storey side element but it will only project by 3m in depth from the rear wall of the original house. It would be 7.8m away from the rear boundary and it has been design to be subservient to the original house and not to dominate the application site or be visible from any public vantage point.

- Single storey front element:

This will incorporate the new main entrance to the house and an integral garage. This element would not significantly project beyond the front building line. It would have a complementary roof form. The scale, size and bulk are considered acceptable as it would not significantly dominate the front part of the existing building. In addition, there are also some examples of similar front extensions within the surrounding area, albeit no integrated garages. It would therefore not significantly harm the character and appearance of the existing building, street scene and general locality.

- Single storey rear element:

This would be sited next to the attached property no.11 Glebe Road and it would only be 3.2m in depth. This element would mainly occupy the footprint of the similar existing rear extension it would replace. It would have a mono-pitched roof form which considered complementary in design terms. Due to its position at rear, it would not harm the character and appearance of the existing house, street scene and general locality.

### Impact on living conditions:

The two storey element would be set in by 1.1m from the common side boundary with neighbouring property no.7 Glebe Road, which also has a single storey side garage that is sited along this common boundary. In addition, this neighbouring property is well set away from the development by more than 9m. The occupiers of this neighbouring property have raised a number of issues on their letter of objection which included among others; overshadowing, loss of light/sunlight, and loss of privacy from overlooking into their rear garden area. However, at a substantial distance of 9m from the development, it is considered that the proposed development would not significantly be overbearing when viewed from the rear garden area of this neighbouring property.

In terms of loss of light/sunlight: the proposal is not considered to result in excessive to loss these concerns, having regard to its siting in relation to neighbouring boundaries.

In terms of potential loss of privacy: the proposed development, particularly the two storey side element would have some higher windows on side elevation. However, these windows will be obscured glazed as shown and annotated on drawing no. 1655/04G. The two storey rear element would also have some two windows a first floor rear elevation facing the rear gardens of properties on Millbank Avenue. However, these would be secondary windows serving bath rooms which are normally regarded as none habitable rooms. A condition would also be attached to this application that would require all these windows to be obscured glazed.

The site is currently being used for parking of some vehicles including vans in the applicant's ownership and therefore not visually attractive. The proposal would improve the appearance of the applicant site and of the immediate locality in visual terms thereby eliminating the current eye sour in the locality and street scene.

In concluding this section, the impact of the proposed development as a whole, upon the living conditions of any neighbouring occupiers would be acceptable in this case.

#### Parking:

The development would require the demolition of an existing side garage and a replacement of this with an integral garage that would be internally 7m in length and 3m in width. There is in addition adequate space on the drive for the parking of one car and as such it complies with the Councils parking standards.

#### Other Material Consideration:

The recently approved similar development (EPF/1394/15) at the attached property no.11 Glebe Road has already set a precedent in favour of the applicant. It is also a very strong material consideration for this current application and any future appeals should this application be refused planning permissions.

#### Conclusion:

The revised design of the whole proposal is considered to be sympathetic as it now refers to the style of the existing building and respects the site and surrounding area in terms of scale, form and use of external materials. The objections from the Parish Council and from the occupier of neighbouring property no.7 Glebe Road have generally been addressed in the body of this report. The proposal is considered acceptable as it is in accordance with the aforementioned policies of the adopted Local Plan and Alterations and guidance in the NPPF. Accordingly, it is recommended that planning permission be granted to this application with conditions.

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

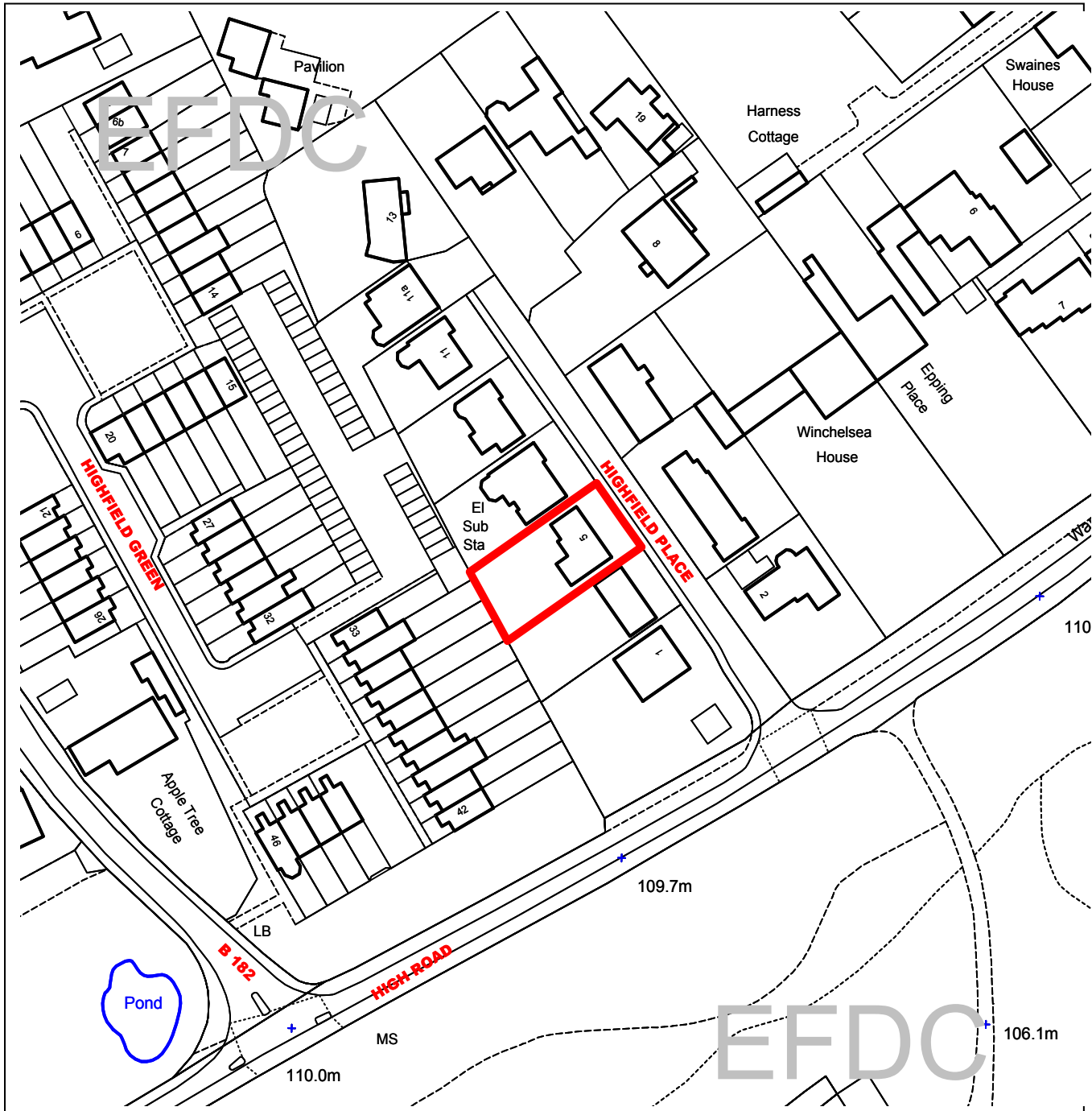
**Planning Application Case Officer: Moses Ekole  
Direct Line Telephone Number: 01992 56 4109**

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/0531/16
Site Name:	5 Highfield Place, Epping, CM16 4DB
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0531/16
<b>SITE ADDRESS:</b>	5 Highfield Place Epping Essex CM16 4DB
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Steve Hiron
<b>DESCRIPTION OF PROPOSAL:</b>	(i) Erection of a two storey rear extension (ii) single storey rear extension (iii) loft conversion with 2 rear dormers and 2 rooflights to front (iv) first floor side extension (v) front porch and (vi) in and out access.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=582913](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=582913)

**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 Prior to first occupation of the development hereby approved, the proposed window openings in the southern flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 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.

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

### **Description of Site:**

The application site consists of a two-storey detached dwelling located on the northwestern side of Highfield Place, a cul-de-sac within Epping. The road consists of dwellings of varying designs and size, including a number of bungalows. Two dwellings benefit from in and out drives. The dwelling has been extended previously in the form a two storey rear extension. The site is not located within a conservation area or green belt. The dwellings to the along Highfield Green are located approximately between 35 and 40m from the rear of the application dwelling. There is a high tree screen on the rear boundary shared with these dwellings approximately 6m high.

### **Description of Proposal:**

Planning permission is sought for the erection of a two storey rear extension; a single storey rear extension; a loft conversion with 2 rear dormers and 2 rooflights to front; a first floor side extension; front porch and in and out access.

### **Relevant History:**

EPF/0574/03 - Erection of pitched roof on rear two storey extension – Approved

EPU/0017/71 – Extension to rear - Approved

### **Policies Applied:**

Local polices:

- CP2 – Protecting the Quality of the Rural and Built Environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions
- HC6 – Character, Appearance and Setting of Conservation Areas
- ST4 – Road Safety
- ST6 – Vehicle Parking

National Planning Policy Framework 2012

### **Summary of Representations**

EPPING TOWN COUNCIL - No objection

### **Neighbours:**

Nine neighbours notified by letter. Five objections were received by the occupiers residing at the following addresses:



35 HIGHFIELD GREEN – Overlooking and loss of privacy; existing trees help to form a screen and hope they will be retained.

36 HIGHFIELD GREEN – Proposal is too large and increase in height is too high and will never accommodate the dormers; side extension is unnecessary and will spoil appearance and uniformity; rear extension too deep; alterations should be kept with original layout; condition that trees be retained to prevent overlooking; will spoil road, is adjacent to a conservation area and will create an ugly precedent.

2 HIGHFIELD PLACE – overdevelopment, out of proportion with all the properties in the cul-de-sac; out of keeping aesthetically bearing in mind the first two properties are in the conservation area; extensions out of line with other properties; dormer windows would result in loss of privacy; property has been enlarged to its maximum years ago.

3 HIGHFIELD PLACE – serious overdevelopment against other houses in the cul-de-sac with increase in roof height and outer walls seriously affecting the bungalows opposite; dormer windows will affect privacy; proposal would infringe ones right to respect for private and family life under Article 8 of the Human Rights Act; work would cause considerable disruption to existing residents during construction.

4 HIGHFIELD PLACE – overdevelopment; property has already been enlarged; extension of the garage would block daylight and encroach on other properties; did not see how much roof would increase by; road has no footpath on one side and narrow on other cars park on path frequently; concern over future development in the street when houses come up for sale causing major problems.

### **Issues and Considerations:**

The main issues to be addressed are as follows:

- Character and Appearance
- Effect on Living Conditions
- Highway Issues
- Response to neighbour comments

### **Character and Appearance**

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

A two storey extension has already been approved to the rear previously and built.

The proposed two storey extension would infill the area between this extension and the original rear wall, effectively squaring off the building.

Projecting from this at ground floor level a 2m deep mono pitched predominantly glazed extension located centrally is proposed.

Within the existing loft space bedrooms are proposed with two rear dormers. Initially the roof was to be raised by 360mm to accommodate this but the scheme has been revised keeping the ridge at the existing height.

To the side adjacent to 3 Highfield Place the area above the garage between the existing rear extension and the front elevation would be infilled providing additional accommodation at first floor level.

To the front, a small porch is being provided and an additional access would be created providing a carriage drive.

Notwithstanding the objections put forward by neighbours, the extensions do not appear disproportionate to the size of the original dwelling and would not result in an overdevelopment of the site. The ridge is now to stay the same height as currently exists and the dwelling would still be set the same distance from the side boundaries. The change when viewed from within the streetscene is considered acceptable and would not detract from the character of the cul-de-sac.

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

The dwelling is located within close proximity of the conservation area, however the proposed works are in keeping with the host dwelling and surrounding area and do not conflict with the aims of policy HC6 that seeks to ensure that development is not detrimental to the character, appearance or setting of the conservation area.

Within this context, the design of the proposed works is considered acceptable and would comply with policies CP2, DBE10 and HC6 of the adopted Local Plan (1998) and Alterations (2006)

#### Effect on Living Conditions

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

There would be no material harm to the living conditions of the occupiers of the bungalows opposite as these are located too far from the development and the only change at the front would be an erection of a first floor side extension.

With regards to the rear dormers, whilst these would be at a higher level these would be a sufficient distance, (over 35m) from the rears of the Highfield Green. It is not considered that the siting of these dormers at this distance from the neighbouring properties along Highfield Green would result in a material loss of privacy or material level of overlooking.

In addition, although they would be set slightly further away, dormer windows could be inserted into the existing roof slope without the need for planning permission, under permitted

development.

The first floor extension above the garage would in itself not impact on the living conditions of the neighbour at 3 Highfield Place, although the roof above the existing rear extension would be enlarged and amalgamated into one higher hipped roof which would project beyond the rear of this neighbour. However, the eaves height would remain as existing and the roof would pitch away causing no excessive harm to amenity given the depth and distance between the dwellings and orientation of the dwelling in relation to this neighbour.

The two storey rear extension adjacent to 5 Highfield Place would project no further than this neighbour's ground floor rear extension but the increased bulk would have some impact on light into this extension served by a side rooflight. However this room is also served by rear fenestration so the impact would not be excessive.

The ground floor rear extension and front porch would not impact on neighbours.

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

### Highway Issues

No objections have been received regarding the creation of an additional access. No permission would be required given the dwelling being located along a non-classified road. Sufficient off street parking would be retained.

### Response to neighbour comments

Comments from neighbours relating to character and appearance and impact on living conditions have been considered above.

In relation to the retention of the trees, whilst this would soften overlooking into rear gardens, the distance of the dormer windows to the rear elevations along Highfield Green at in excess of 35m is considered acceptable therefore a condition for these to be retained as part of this permission is not considered reasonable.

With regards to the infringement of the neighbour's human rights there is a fair balance to be struck between individual's rights, the public interests protected by the planning system and those of other persons. In other words the Council is required to balance the effect this has on both the applicant and neighbours. In this instance, since the development is not considered to cause excessive harm to the living conditions of neighbouring occupiers and the proposal complies with other relevant planning policies, it is therefore not considered to infringe their human rights and would not form a reason to refuse this application.

Construction works are not material planning considerations.

**Conclusion:**

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

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

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

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