

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2494/13
<b>SITE ADDRESS:</b>	Stone Hall Downhall Road Matching Green Harlow Essex CM17 0RA
<b>PARISH:</b>	Matching
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing timber construction Use Class B1 units and replace with new Use Class B1 units and 6 no. 3 bedroom cottages including 3 affordable units. Amended proposal with revised access arrangements (EPF/2343/12)
<b>DECISION:</b>	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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=557190](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557190)

**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:211/S/100, S/101, P/11B, P/012A, P/013A, P/014A, P/015A, P/016A, P/017A, P/018A, P/025, P/026, 354.12.3C, 03/002A, 03/001A, 03/004, 03/005.
- 3 The materials used shall be those set out in the application (letter dated 17 February 2014 from 3Square Design Ltd) unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development shall take place until details of foul 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 facilities for vehicles leaving the site during construction works have been installed in accordance with drawing No. 211/P/026. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order the B1 units hereby approved shall be used only for uses falling within the B1 use and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A, B or E shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 The B1 use hereby permitted shall not operate outside the hours of 0.800 to 20.00 on Monday to Saturday and 10.00 to 16.00 on Sundays and Bank/Public Holidays.
- 9 The development shall be carried out in accordance with the submitted Tree Protection Plan and 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.
- 10 No development shall take place, including site clearance or other preparatory work, until a landscape method statement and schedule of timing of landscape works has been submitted to and approved in writing by the Local Planning Authority for the implementation of the approved landscape scheme (drawing no. 354.12.3C). The scheme shall be implemented in accordance with the approved details of method statement and timetable. 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.
- 11 There shall be no external storage in connection with the approved B1 business use.
- 12 The parking areas for the B1 uses, shown on the approved plans shall be provided prior to the first use of any of the B1 units hereby approved and shall be maintained free of obstruction for the parking of vehicles in connection with the approved B1 uses thereafter and shall not at any time be used for the storage or parking of vehicles unconnected with the businesses operating at the site.
- 13 Prior to first occupation of the development, the access arrangements, as shown on Create Consultants Engineers Ltd drawing no. 03/001/ Rev A, shall be agreed with the Highway Authority and the shown visibility splays shall be retained in perpetuity. The approved details shall be implemented prior to first occupation of the development.
- 14 Prior to the first occupation of the development, the existing vehicular access to the south of the site shall be permanently closed off with the highway verge being fully reinstated.
- 15 No unbound material shall be used in the surface treatment of the vehicular access within 10m of the highway boundary.
- 16 Prior to commencement of development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational

and shall be retained at all times.

- 17 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 18 Prior to commencement of development details of phasing of the development including timing of demolition of the existing buildings, and erection of the replacement units and housing, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be carried out in accordance with the agreed phasing plan unless alternative phasing is agreed in writing by the Local Planning Authority.
- 19 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing 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.
- 20 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 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]
- 21 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 in writing 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]

- 22 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 in writing 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]
- 23 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 in writing. The approved monitoring and maintenance programme shall be implemented.
- 24 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.
- 25 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 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.

And subject to the applicant first entering into a legal agreement under section 106 of the Town and Country Planning Act before 27<sup>th</sup> May 2014 (unless a longer period for the determination of the application is agreed with the applicant prior to that date) to secure three of the proposed residential units as affordable rented accommodation.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2693/13
<b>SITE ADDRESS:</b>	191 Hoe Lane Lambourne End Essex RM4 1NP
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Agricultural barn building.
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=558130](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558130)

Members considered, having visited and viewed the site and the building, that its domestic design and position, within the residential curtilage were not consistent with the stated intended use of the building for agricultural purposes. The application was therefore refused.

In addition, Members requested that enforcement action be taken to secure the removal of the building.

**REASON FOR REFUSAL**

- 1 The building is not considered reasonably necessary for the purposes of agriculture within the unit and the development is therefore inappropriate and harmful to the openness of the Green Belt. This is contrary to policies GB2A and GB11 of the adopted Local Plan and Alterations and the aims and objectives of the National Planning Policy Framework.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0255/14
<b>SITE ADDRESS:</b>	Land Adjacent 1 Gun Cottage Abridge Road Theydon Bois Epping Essex CM16 7NN
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed conversion of stable block to a 2 bed single storey dwelling.
<b>DECISION:</b>	Refuse Permission

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[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559594](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559594)

The presenting officer explained that a revised drawing had been received identifying the proposed residential curtilage and that therefore should Members wish to approve the development then the wording of conditions would need to be amended.

Members considered the scheme, but were concerned at the further intrusion of residential development into the Green Belt. They considered that the changes to the building together with the creation of a garden area and the use of the garden area, with domestic parking and paraphernalia, would significantly change the character of the site from an appropriate rural use to an inappropriate residential development and that this was clearly harmful to the character and openness of the green Belt and contrary to the intentions of both Local Plan Policy and the NPPF. Members did not consider that these were issues that could be overcome by the use of conditions and the application was therefore refused.

**REASON FOR REFUSAL**

- 1 The proposed changes to the external appearance of the building together with the change of use of the building and the land to residential use, which will introduce residential parking and paraphernalia such as garden features, play equipment, washing lines, dustbins etc. will change the rural character of the site, such that there will be harm to the Green Belt and to the purposes of including land within the Green Belt. The development is therefore contrary to the National Planning Policy Framework and to policies GB2A, GB8A and CP2 of the adopted Local Plan and Alterations.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0371/14
<b>SITE ADDRESS:</b>	2 Heath Drive Theydon Bois Epping Essex CM16 7HL
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side/rear extension and single storey rear extension.
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=560177](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=560177)

Members discussed the proposal but considered that the width and depth of the proposed extension together with the height of the ridge and the design would result in a development that fails to respect the design of the existing building and would be overly prominent in the street scene. The application was refused.

Members discussed whether there was a possible way forward and advised that a narrower side extension, set further forward and perhaps designed similar to the recent addition to no. 4, would be more in keeping with the dwelling and the locality and more likely to be considered favourably.

**REASON FOR REFUSAL**

- 1 The proposed development, in particular, the double storey side and rear extension, due to its size, bulk and scale would result in a disproportionate addition to the house that is significantly out of character with its appearance. It would therefore detract from the appearance of the house and the street scene, contrary to policies CP2 and DBE10 of the adopted Local Plan and Alterations.