

AREA PLANS SUB-COMMITTEE 'EAST'

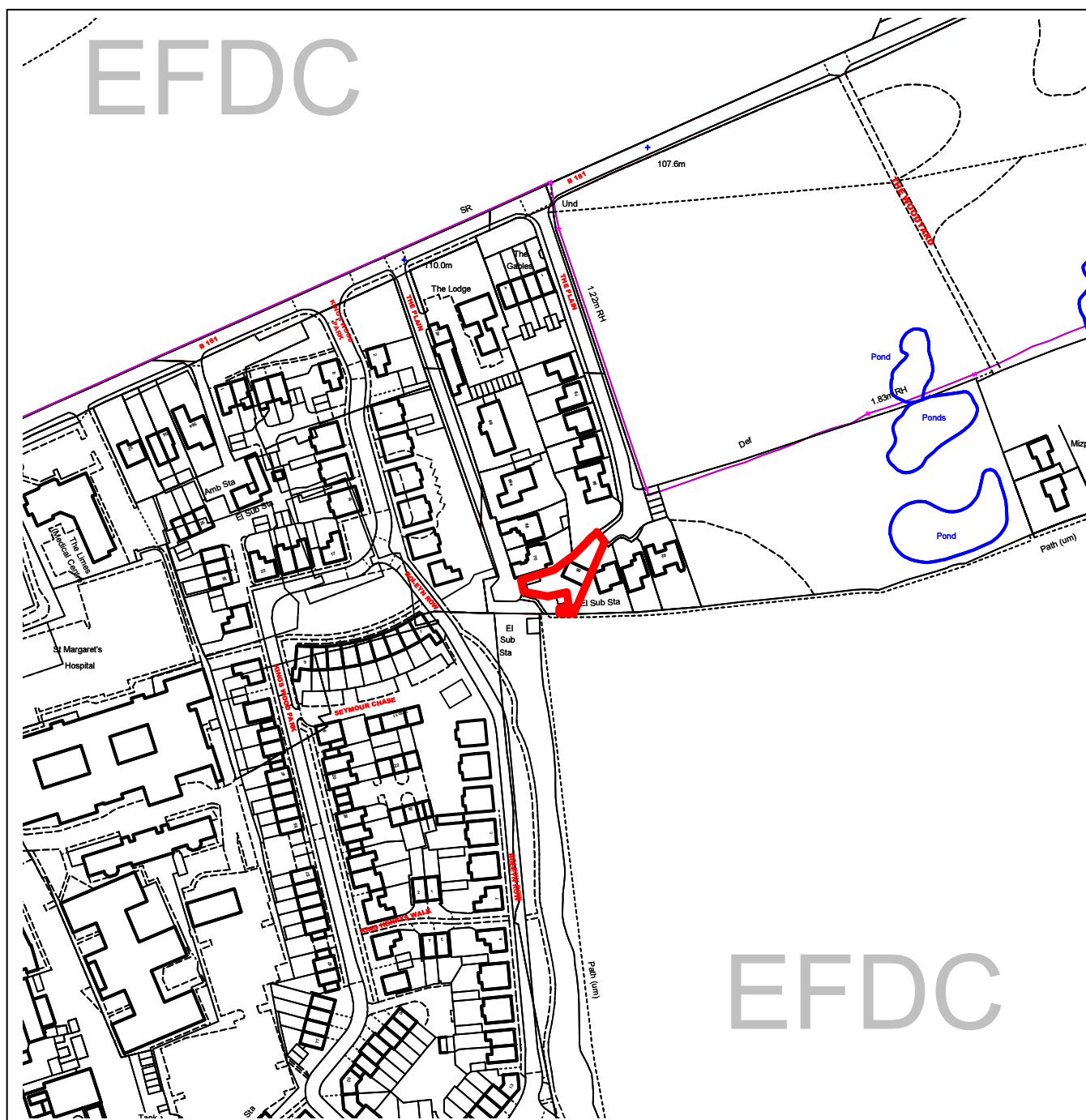
21 January 2015

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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/2197/14
Site Name:	86 The Plain, Epping Essex, CM16 6TW
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/2197/14
SITE ADDRESS:	86 The Plain Epping Essex CM16 6TW
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Dr Trevor Blatch
DESCRIPTION OF PROPOSAL:	To construct a front two storey and loft extension (Revised application to EPF/0366/14)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568252

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 stated in Section 11 of the application form submitted with this proposal, unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application site is located at the end of a cul-de-sac known as 'The Plain' within the town of Epping. The site itself is irregular in shape consisting of a narrow frontage before gradually becoming wider towards the middle of the site.

A double storey detached dwelling house externally finished from facing brickwork is positioned centrally within the site. A detached outbuilding/garage is located to the rear of the site within the rear private garden area. Off street parking is either located within a garage at the rear or on the hard standing to the front of the dwelling. Timber paling fences and mature vegetation are located along the side and rear boundaries of the site.

Detached double storey dwellings are located on the adjoining properties to the side of the subject site. Open fields are located to the rear of the site. Although the site is relatively level, the eave and ridge height is higher than the adjoining property of number 88 but lower than the adjoining

property of number 70. The subject site is not located within the green belt or a conservation area and it is not within the setting of any listed buildings.

Description of Proposal:

Planning permission is proposed to construct a two storey front extension to the existing dwelling house and extend the existing loft into the new roof space of the extension to provide additional living accommodation.

The extension would project between 1.5m and 1.8m from the centre of the dwelling and extend the full width of the principal elevation at ground floor level and approximately 6m at first floor level. It would have a hipped roof form with its ridge height being the same height as the original ridge as this has been extended previously. The extension would be externally finished from white painted render and roof tiles would match those of the existing building.

The plans have been revised during the life of the application in an attempt to overcome Officer concerns that the extension would unacceptably impact on the living conditions of the adjoining neighbour at No.70 The Plain.

NB: The revised plan submitted on the 24/11/14 displayed a discrepancy between the depth of the proposed side elevation and the proposed ground floor and first floor plans in that the elevation showed it to be approximately 2.1m and the plan 1.8m deep. This has since been amended so that the depth is 1.8m on both. A revised plan was received on 09/01/14. Whilst the neighbours would have seen the originally submitted revised drawings (24/11/14), the submission of this new plan is not considered to prejudice the re-consultation process as the proposal has not been enlarged and the principle of the revisions remain the same. The objectors concerns remain pertinent to the application.

In addition, a revised Location Plan was received on the 29th December 2014 as the originally submitted Location Plan showed the previously proposed extension which needed to be removed for the avoidance of doubt. Again, this would not prejudice the neighbours' consideration of the application.

Relevant History:

EPU/0042/72 - Proposed addition of two bedrooms in roof space (approved)

EPF/1237/81 - Kitchen and lounge extension (approved)

EPF/0114/07 - Replace existing garage with two storey double garage (refused and dismissed at an appeal)

EPF/2258/07 - Replacement of single storey garage with one + half single storey garage (revised application) (approved)

EPF/0366/14 - To construct a front two storey and loft extension – (refused)

Policies Applied:

Local policies:

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

National Planning Policy Framework

Summary of Representations

External:

EPPING TOWN COUNCIL:

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

Neighbours:

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

70 THE PLAIN, EPPING – Object

- Extension would severely impact our property
- Loss of light and outlook
- Overdevelopment of the site
- Would result in additional kerbside parking due to the additional size leading causing access problems for emergency vehicles.

EPPING SOCIETY – Objected to the original scheme on the grounds of impact on neighbouring amenity but no comments have been received on the revised scheme.

Internal:

Land Drainage – No comments

Issues and Considerations:

The main issues to be addressed are as follows:

- Character and Appearance
- Effect on Living Conditions

Character and Appearance

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

There are no Officer objections to the design and appearance of the proposed development. It would be set down from the main ridgeline and given there are other large gable front projecting features within the street scene, the character and appearance of the existing dwelling and/or the

surrounding area would not be materially harmed. The first floor front windows would be required to be slightly moved towards the sides in order to accommodate the two storey front extension.

Although the Town Council object that the extension would be detrimental to the appearance of the existing dwelling and to the streetscene, the roof treatment has purposely been adopted in order to overcome amenity concerns whilst retaining the head height at second floor level. Whilst this is not an excuse that therefore any design is acceptable, it is considered that given the corner location of the dwelling and that the existing dwelling differs already in its design to the other dwellings in the street, on balance, the proposed crown roof design is acceptable and would not appear materially unacceptable to justify a refusal in this instance.

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

Effect on Living Conditions

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

The extension would now not materially impact on the living conditions of the neighbour at No. 88 The Plain, as the previously refused proposal did. This is due to the two storey element being moved away. Although the revised plan has shifted the two storey front element closer to this neighbour than where it was sited on the original plans submitted under this application, it is still considered to be a sufficient distance away from the neighbouring habitable windows as not to result in a material loss of outlook. Although the neighbour's property faces to some degree towards the application dwelling, the two storey element of the extension, now the bulk has been reduced at roof level and is set approximately 1.65m off the side wall, would not appear materially overbearing, notwithstanding the fact that 88 The Plain is on a lower ground level.

The single storey element would project further forward than the bay window of 88 The Plain closest to the shared boundary but its modest depth of 1.5m ensures that the impact would not be significant. The neighbouring occupier would have a view of the extension but it would not appear materially intrusive as such to justify a refusal.

Again the modest depth of the proposal would ensure that the level of overshadowing would not be so significant as to justify a refusal either.

With respect to the potential impact on the neighbour at No. 70 The Plain, the single storey element of the proposal would be largely screened by the existing boundary fence and the two storey element would be set approximately between 1.8m off the boundary at its closest point and approximately 2.8m at its furthest due to a slanted boundary line.

The two storey element would be approximately 9.4m at its closest from the neighbours conservatory and approximately 12m from the first floor windows located to the east. The extension would be viewed at an angle with some of it being screened by the existing dwelling depending on where the view from No. 70 The Plain is taken from.

The concerns raised by the adjoining property of number 70 have been taken into account with regards to overdevelopment of the site and that it would result in a loss of light and outlook when viewed from the kitchen and second bedroom, however it is considered that the proposal would not result in excessive harm to the amenities which they enjoy due to a combination of modest depth, distance from the rear elevation, orientation, altered roof profile to a hip which would extend away from the neighbour and the existing boundary fence largely screening the single storey element. The existing dwelling is within their line of sight when looking east and the proposal would not materially exacerbate the current situation.

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

Other issues

It should be noted that the addition of the proposal would not require the need for additional off street parking as the dwelling already meets the requirements within the Adopted Parking Standards. As such there would be no harm upon highway safety.

Access and maintenance issues mentioned by the neighbouring occupier are not material planning considerations and cannot be assessed here.

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:

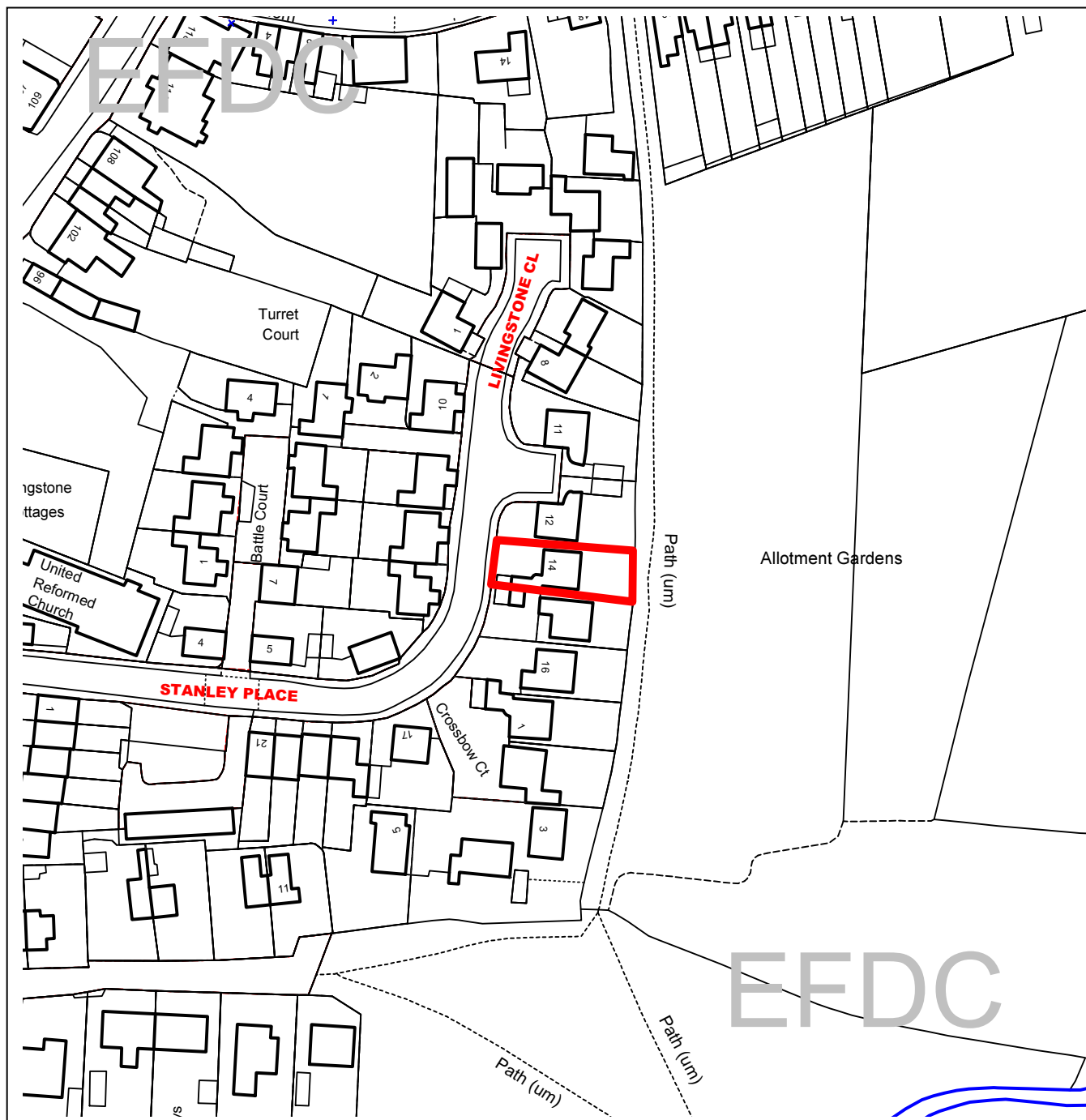
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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



Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2286/14
Site Name:	14 Stanley Place Ongar CM5 9SU
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2286/14
SITE ADDRESS:	14 Stanley Place Ongar Essex CM5 9SU
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr James Ward
DESCRIPTION OF PROPOSAL:	Single storey rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568714

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

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

Stanley Place is located within the built up area of Ongar. The existing building is a two storey detached property, situated within an average sized plot. The land slopes slightly from north to south across the site. The rear building line of the neighbour to the north (no.12) is set approximately 1.8m further forward than the application property. The rear building line of the neighbour to the south (no.15) is set approximately 3.5m further back than the rear elevation of the application property. The site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation area.

Description of proposal

The proposed development is a single storey rear extension. Permitted development rights to enlarge the dwelling house were removed when the housing estate was granted planning permission in 1984.

Relevant History

EPF/0662/84 – Erection of housing estate – Approved, permitted development rights to enlarge dwelling removed.

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
DBE10 – Design of Residential Extensions
DBE9 – Impact on amenity

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

Consultation carried out and summary of representations received

ONGAR TOWN COUNCIL – OBJECTION – Ongar Town Council objects to this application in view of the fall of the land and the nature of the extension as it seems likely that amenity of close neighbours may be affected and also that significant loss of light may occur.

6 Neighbours consulted –

15 STANLEY PLACE – OBJECTION – The extension will be excessively overbearing and bulky, out of character with the neighbours in the street scene. It will also cause harm to our light appreciation.

Issues and Considerations

The main issues to consider when assessing this application are the effects of the proposal on the living conditions of neighbours and the design of the proposal in regards to the existing building and its setting

Neighbour Amenity

The extension will project 3m from the existing rear elevation which is already 1.9m beyond the rear elevation of no. 12. It will be set 1m from the shared boundary with no.12. Although the extension will have a relatively long net projection, No.12 benefits from a wide garden and the extension will be of a reasonable height (3.7m maximum). No.12 is also located on slightly higher ground than the application property which reduces the impact. In light of the above assessment it is concluded that contrary to the opinion of Ongar Town Council, there will be no excessive harm to natural light appreciation and it will not appear overbearing to no.12.

The extension would be very similar to the rear building line of no.15. Furthermore it leaves a gap of 0.9m to the shared boundary. As such, although no.15 is situated on lower ground than the application property, it will not appear significantly overbearing or cause any harm to light appreciation.

Design

The extension is of a conventional design which will not be visible from public areas of the street scene.

Conclusion

The single storey rear extension will not excessively harm the living conditions of the neighbours and its design is conventional. Therefore it is recommended that the members of the planning committee grant planning permission.

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

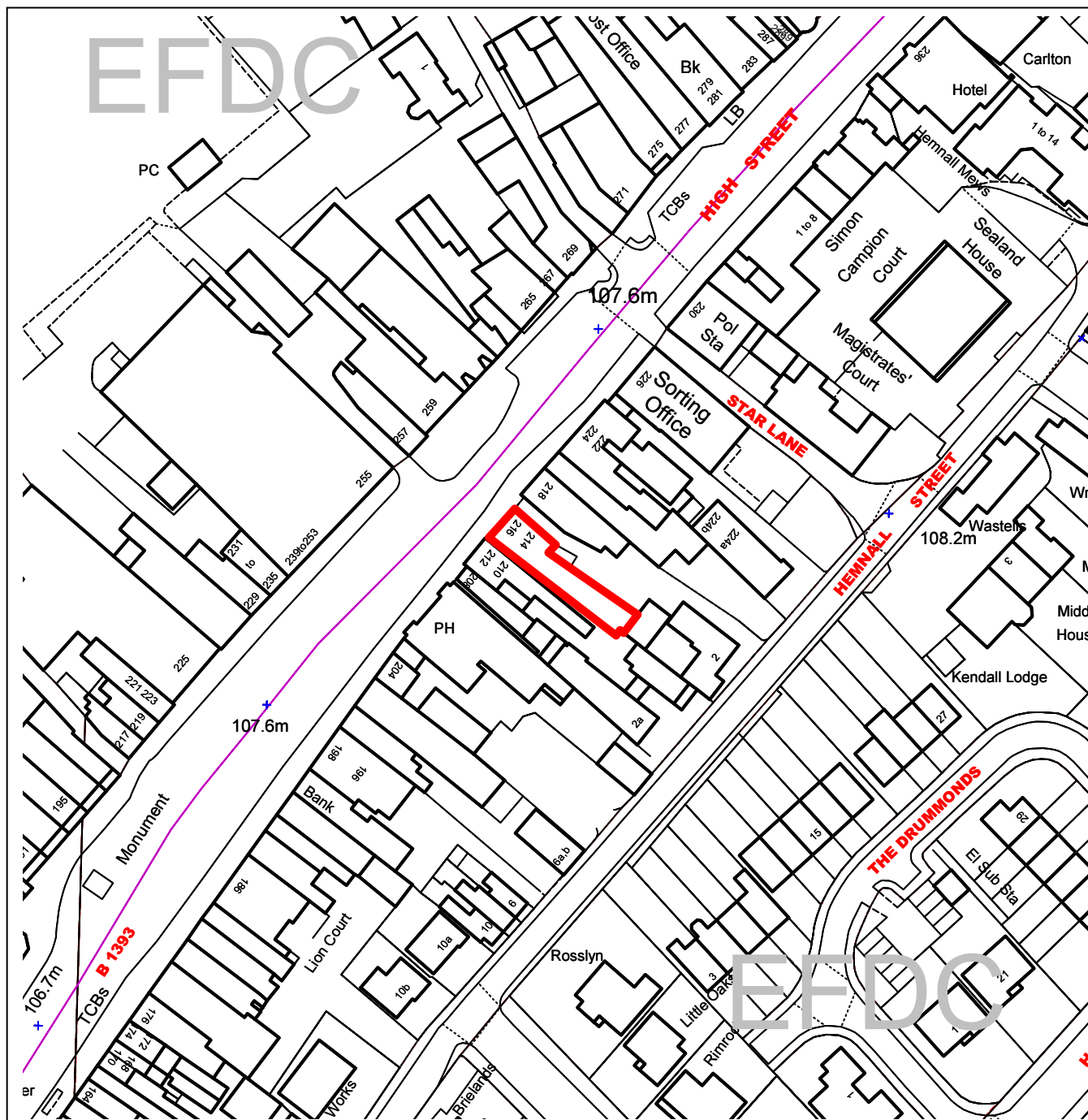
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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



Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/2372/14
Site Name:	214-216 High Street Epping CM16 4AQ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2372/14
SITE ADDRESS:	214-216 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Martin Richards
DESCRIPTION OF PROPOSAL:	Extend retail shop at ground floor and basement to be retail use. Part conversion of ground floor shop to residential flats, conversion of first floor offices and store to flats and erection of a two storey side/rear extension to provide additional accommodation (total six flats).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569213

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: 1458/01, 1458/02, 1458/03c, 1458/04c, 1458/05a, 1458/06, 1458/07, 1458/08a
- 3 Prior to the occupation of the residential unit referred to as Flat 4 on the approved plans, the first floor windows within the south eastern elevation shall be blocked up and retained as such thereafter.
- 4 The two storey side/rear extension shall be externally finished in yellow stock bricks and bond to match that of the existing building. Details of the junction between the new extension and the existing red brick building shall be submitted to and approved in writing prior to the commencement of the development, and shall be carried out in accordance with the approved details.
- 5 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 6 Additional drawings that show details of proposed new windows and doors, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.

- 7 The approved rooflights shall be conservation style rooflights only.
- 8 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 9 Notwithstanding the approved plans, details of the design, layout and location of the bin store shall be submitted to and agreed in writing prior to occupation of the residential units. The bin store shall be retained thereafter in accordance with the approved 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.

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

Description of site:

The application site consists of the large two storey linear building located on the south eastern side of the High Street. The site currently contains a retail unit (occupied) at ground floor level with vacant offices on the first floor. The site is located within the designated Town Centre of Epping (with the shop being in the key frontage) and Epping Conservation Area. There is currently side access to the ground floor by way of a private access road between No. 214/216 and No. 218 High Street, however this access is not within the applicant's ownership and also serves the car park for No. 218 (Nationwide Building Society). There is a 'courtyard' style yard that currently provides parking, bin storage and access to the retail unit.

Adjoining the site to the southwest is No. 208-212 High Street, which has recently been redeveloped and now contains a restaurant at ground floor and eight residential flats on the first and second storeys. To the immediate rear of the site is a residential property (No. 2 Hemnall Street) that benefits from a small rear garden bordered to the northwest by the existing single storey storage area serving No. 214-216. There is a large tree within this garden that is protected due to its location within the conservation area.

Description of proposal:

Consent is being sought for a two storey side/rear extension, a roof addition and a new roof to the existing single storey rear building to allow for the extension of the retail store at ground floor and basement and for the conversion of part of the ground floor, the first floor offices and the roof area into six residential flats, with associated external alterations and development, including the erection of a detached bin store.

The proposed two storey side/rear extension would measure a maximum of 2.2m in width and 6.8m in depth and would have a hipped roof with a ridge height to match the ridge of the existing rear projection (8.5m). The proposed roof addition would infill between the existing double ridge roof on the front section of building. This would create a crown roofed infill with pitched slopes to the flank and would not extend above the height of the existing ridges.

The proposed conversion would reduce the existing retail space, which currently occupies the entire ground floor, to an area measuring a maximum of 18m in depth (including the staff area to the rear) and 7.1m in width. The application also proposes to open up the existing basement store/office and utilise this as part of the retail space. The remainder of the building would be utilised as six residential flats (amended from the originally submitted seven) consisting of one no. 1 bed flat and one no. 2 bed flat on the ground floor, and one no. 2 bed flat and three no. 1 bed flats on the first floor (with Flats 6 and 7 having their bedrooms located within the extended roofspace/second floor).

The application also proposes to install a new roof over the existing single storey rear projection that would be hipped and would reach a ridge height of 5.4m. The development would replace some existing ground floor doors with windows and would involve the insertion of some new flank windows on ground and first floor level, along with six rooflights within various roof slopes. The proposed flats would be served by a proposed detached bin store located within the 'courtyard' area but would have no off-street parking or significant communal amenity space.

Relevant History:

None

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built form
CP6 – Achieving sustainable urban development patterns
DBE9 – Loss of amenity
TC3 – Town centre function
HC6 – Character, appearance and setting of Conservation Areas
HC7 – Development within Conservation Areas
ST1 – Location of development
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

6 surrounding properties were consulted and a Site Notice was displayed on 25/11/14.

TOWN COUNCIL – Object. The proposed scheme is an overdevelopment of the site. The creation of seven residential units in what is presently a single commercial property will have a damaging impact on long term viability of the retail unit, which currently enjoys generous storage areas and access for loading/unloading.

The resulting retail unit will be much smaller (despite the assertions of the applicant, the basement is not a viable retail area as it is impossible to create disabled access into it and indeed there are no proposals in this scheme to do so). There is no provision for commercial waste storage and the only access for loading in this scheme is through a fire exit straight onto the retail floor or through the front door from the High Street.

This is not a proposal for a sustainable retail premises and results in the loss of one of the few larger retail premises left in the High Street. The existing retail premises is not an empty unit and

the loss of further good size retail units in the town centre cannot continue without a risk to the long term viability of Epping as a town centre.

In relation to the proposed flats, the Town Council do not disagree that there is scope to create residential units above the shop or in the building to the rear, however the density is too great. It is the opinion of Committee that the creation of a small mews style development of 3 to 4 high quality homes would enhance the location as opposed to the current scheme which in the view of Committee will not enhance the amenity of the locality but in the medium and long term is likely to be detrimental to it.

216 HIGH STREET (SUE RYDER) – Object as the development would not provide enough retail space to enable the business to reside in the unit.

EPPING SOCIETY – Object. This is overdevelopment of the site. No car parking is provided. There is no provision for the protection of the tree in the garden of number 2. The basement will not be practical as a trading area. Consequently, along with the loss of the side access this proposal will reduce its appeal to prospective businesses. The extension onto the existing block at the rear will be overbearing to number 2. To minimise the impact; protect the tree and provide car parking, create car parking (26' by 26') in place of flats 1 and 3. Leave the ground floor as exists.

218 HIGH STREET – Object due to the impact that the development would have on the already constrained access to the car park serving No. 218 High Street, since the provision of seven units is out of scale with this tightly constrained site, since there will be safety concerns with pedestrian use of the existing access road, since the bin store would only be accessible by the land under freehold ownership of Nationwide Building Society land, due to the lack of car parking and sustainable transport concerns, there would be major transport implications as a result of the proposed development, the scheme would constitute an overdevelopment of the site unsympathetic to the existing character and urban fabric of the area, since the development would damage the tree to the rear of the site, since there would be a lack of private amenity space, and since this would create an undesirable precedent.

Main Issues and Considerations:

The main issues with the application are considered to be the effect on the vitality and viability of Epping Town Centre, the impact on the conservation area, any potential loss of amenity to surrounding properties, with regards to parking, and regarding the impact on the neighbours tree.

Town Centre:

The existing ground floor of the entire building is currently being utilised for retail use (albeit in parts as storage, etc.). The existing basement is being used for storage purposes associated with the existing shop (currently Sue Ryder charity shop). The proposed development would remove the entire rear section of the ground floor from retail use, however would retain the front of the site and basement for these purposes. The two storey extension would increase the floor area of the front section of the building and the intention is to open up and utilise the basement as part of the retail floor area of the shop. It is stated within the submitted Design and Access Statement that the existing retail floor area of the shop is 177m² and the proposed retail floor area would equate to 189m². Whilst these figures appear to be essentially correct this does not take into account the loss of the existing storage areas and assumes that a retail operator would wish to utilise the basement area as part of the shop. Whilst basement retail areas are commonplace in many areas (such as central London) they are not commonplace within Epping and there would undoubtedly be concerns and issues with such a use (such as disabled/pram access to this area, security). The combination of this and the lack of any associated storage space with the proposed shop (since the only non-retail floor area is a small under stairs cupboard, a kitchen area and a disabled toilet)

means that it is far more likely that the basement would be utilised as a stock/storage room than retail floorspace. However this would ultimately be a decision for any future occupant.

In terms of the reconfiguration of the retail area, even if the basement were not to be used for retail floorspace it is considered that the ground floor retail area shown, which equates to approximately 110m², would be a sufficient size to remain as a viable retail unit. The public floor areas of several of the surrounding units are of a similar size to this and function sufficiently as commercial businesses. Therefore, whilst it is unfortunate to lose one of the larger retail units in the town centre, it is not considered that the proposed alterations to this shop would be unduly detrimental to the vitality and viability of Epping Town Centre.

With regards to the proposed change of use of the rear ground floor and upper storeys to six flats, paragraph 23 of the National Planning Policy Framework (NPPF) highlights that Local Planning Authorities should, amongst other factors, *“recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites”*.

The application site is located within Epping town centre, which is one of the larger built up towns within the District and is well served by local services and amenities, and has good public transport links. The ‘golden thread’ that runs through the NPPF in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The existing first floor offices and meeting rooms can only be accessed through the existing retail unit at ground floor level and therefore is considered by the applicant to be *“effectively redundant space”*. Whilst there is a possibility that separate access could be obtained to this area through some internal alterations the current offices are nonetheless vacant and could be converted into two residential flats without needing planning consent. One of the aims of Central Government allowing such changes under permitted development is to facilitate the conversion of units to alternative uses to ensure the planning system plays a part in kick-starting growth and aiding the emergence of the British economy from recession. These permitted development rights include the ability to change an A2 office (or the upper floors of an A1 retail unit) into up to two flats, or to change the use of B1 (offices) into as many residential units as can be accommodated.

Concern has been raised that the provision of seven (now reduced to six as a result of revised plans) would constitute an ‘overdevelopment’ of the site. Paragraph 23 of the NPPF still suggests that Local Authorities should set policies to protect the vitality and viability of town centres, albeit in a more flexible way than previously required, and countless reports point to the fact that in the near future town centres *“should become community hubs with housing, education, entertainment and leisure facilities”* (The Planner November 2013). The recent changes to permitted development allow for a much more multi-faceted town centre where the Local Planning Authority has less control over intended use, which should instead be led by market forces. As such it is considered that the principle of residential development within this type of location is considered to accord with this presumption and therefore this should be afforded significant weight.

Design:

The proposed extension and external alterations would be in keeping with the existing building. Whilst the proposed roof addition would have a flat topped crown roof this would not be visible from public view and therefore is not considered detrimental to the character of the Green Belt.

The provision of a new roof over the existing single storey rear section of the building would remove the existing mono-pitched roof that is considered an eyesore and as such this element of the proposed development would be beneficial to the overall appearance of the conservation area. The external materials would need to match those of the existing building and the details of the proposed new doors and windows would need to be agreed, however these matters can be dealt with by conditions.

Amenity considerations:

The introduction of residential use on the upper storeys and the proposed new windows would introduce a different form of overlooking from an office use (since residential use would introduce activity at more sensitive times such as evenings and weekends), however the windows serving the proposed residential flats are all within the north eastern elevation (with the exception of the front first floor windows and rooflights). Since the property overlooked by this elevation appears to consist of an A2 use at ground floor with offices above, and there are very few windows within the overlooked elevation, the proposal would not result in any undue loss of privacy or overlooking.

To the immediate rear of the site is a residential property (No. 2 Hemnall Street), which has a small garden area immediately bounded by the existing single storey rear section of the application site. Whilst the introduction of a new roof on this building would result in some additional bulk the eaves height immediately adjoining this neighbour would be approximately 200mm lower than the existing height of the monopitched roof and would slope away from the neighbour's site, plus this would be a more visually appealing roof than existing. The existing first floor rear windows in the building would be removed and no new windows would overlook this neighbour's property. Therefore the proposed development would have a beneficial impact on the amenities of the neighbouring residents.

Despite the provision of some landscaping and repaving of the central 'courtyard' area, which would not constitute useable amenity space, future residents of the proposed flats would not benefit from any private or communal amenity space. However this is not unusual for flats such as these located within a town centre, as can be seen on the recently constructed flats at No. 208-212. As such it is not considered that the lack of amenity space would constitute a reason to refuse consent for the proposed development.

Parking:

The Essex County Council Vehicle Parking Standards (2009) recommends that a residential scheme such as this should be served by ten parking spaces (which equates to 2 x spaces for each two bed flat, 1 x space for the one bed flat and 2 x visitor space), however it does state that "a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities".

No off-street parking provision is proposed to serve the flats, however a residential development within a sustainable location such as this can be considered acceptable as a zero parking scheme. A similar example of this was agreed by the Planning Inspectorate on application ref: EPF/1924/12 for No. 261 High Street, Epping, which proposed the conversion of first floor offices and a bedsit into four flats. Within the appeal decision for No. 261 High Street the Inspector stated that:

No off-street parking is associated with the proposal. According to the appellants undisputed calculations, under the standards there would be a requirement for 5 spaces for the existing uses and 6 for the proposal. The parking standards document identifies that the standards can be reduced in town centre locations with good access to public transport.

The site is located within Epping Town centre. This is agreed to be a sustainable location with ready access to facilities. Notwithstanding that the existing uses are long-established, the parking demand generated by the proposal is unlikely to be significantly greater than that resulting from these uses. In this context the application of a relaxation from the normal standards would favour allowing the proposal, and there is no material conflict with the development plan in this respect.

In addition, the proposal would be a sustainable development which warrants support according to the National Planning Policy Framework. This advises that development should only be refused on transport grounds where the residual cumulative impacts are severe. There is no evidence to suggest that there would be such an impact in this case.

Therefore it is not considered that the lack of off-street parking provision in this highly sustainable location would warrant a refusal of planning consent in this instance.

Despite the above, the Vehicle Parking Standards does state that “*in all cases provision should be made for the parking and turning of service vehicles, serving the site, off the highway*”. Concern has been raised that the redevelopment of this site would remove the existing side access to the shop and would stop any delivery lorries parking up within the ‘courtyard’ area. This problem is exacerbated since the access road serving the site is outside of the ownership of the applicants and the current owners (Nationwide Building Society) are objecting to the application and state that “*Nationwide will not accept any construction and or service vehicles to use this access either for temporary construction activity, or for permanent/long term servicing uses which will disrupt the business operations of 218 High Street*”. Whilst this is a private matter it is considered that this is a material planning consideration since it may result in no off-street servicing space for the retail unit.

Although this issue is a concern that weighs against the proposal there are several units located within Epping Town Centre that do not benefit from any off-street loading areas. Whilst this does not mitigate any harm from losing an off-street servicing area it is not considered that, in this location, this would be a strong enough reason to refuse consent for the development, particularly since at the time of Officer site visits the yard area was always fully utilised by parking and therefore is unlikely to be currently in use as a servicing area.

Since there is no off-street parking or servicing provision proposed there would be no additional traffic resulting from the development (and arguably a reduction in vehicle movements since the current courtyard area, which is used for parking purposes at present, would no longer be available for this purpose). The freeholder of the access road has raised concerns that the increased number of pedestrians using this access would be detrimental to highway safety and could cause traffic problems on this stretch of private road, however there is only a very short stretch of private road (approximately 15m) that would need to be traversed by pedestrians, which is unlikely to result in any major highway safety or traffic issues. Furthermore, since this road is owned by Nationwide Building Society they could stop the applicant having a right of access over the land, which would be a private matter that is not considered material to this application. However should the applicant not be able to gain lawful access to the site then they would be unable to undertake the development, irrespective of whether or not they have obtained planning consent.

Landscaping:

There is a large tree located within the rear garden of the adjacent neighbour (No. 2 Hemnall Street) that is protected due to its location within the conservation area. There has been no tree survey submitted with the application that suggests the tree is in poor health and should not be retained. However, since the plans were revised to remove the proposed first floor extension above the existing single storey rear section of the building it is not considered that the proposed development would have any detrimental impact on the health or wellbeing of this tree.

Other matters:

The application site lies partially within an Epping Forest District Council flood risk assessment zone, however would cause no increase in surface water runoff. Further details regarding surface water drainage are required, which can be dealt with by way of a condition.

The application proposes to erect a detached brick built bin store within the central courtyard area to serve the residential flats. Concern has been raised by the owners of the access road that the doors to the bin would open onto this privately owned land. Whilst this issue is a private matter it would be preferably for the bin store to be accessed from within the application site, which could be achieved. As such it is recommended that, notwithstanding the submitted plans, details of the final design, layout and location of the bin store should be submitted and agreed. This matter can be suitably dealt with by way of a condition.

Conclusion:

The principle of redeveloping the site for a mixed use of residential and retail use is considered appropriate to this site and it is accepted that residential use within town centres can be equally beneficial to the overall vitality and viability as offices. Whilst there are some concerns regarding the potential use of the basement as a retail floor area and the lack of off-street servicing, it is not considered that these factors alone would be sufficient to warrant a refusal of the proposed development.

Although there would be no off street parking provision or amenity space to serve the proposed flats this is not unusual for locations such as this. Therefore it is considered that the lack of parking and amenity space is considered acceptable in this instance.

The proposed development would not be detrimental to the character and appearance of the conservation area, the amenities of neighbouring properties, or the health and wellbeing of the neighbour's tree.

Due to the above it is considered that the proposed development is in accordance with the relevant policies within the Adopted Local Plan, which are consistent within the National Planning Policy Framework, and the application is therefore recommended for approval.

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

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

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

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Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/2612/14
Site Name:	120 High Street Epping CM16 4AG
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2612/14
SITE ADDRESS:	120 High Street Epping Essex CM16 4AG
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Alan Poulton
DESCRIPTION OF PROPOSAL:	Conversion of existing upper storey A2 offices to three residential units.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570590

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: 1B and MWSC-EHS-01
- 3 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 4 The refuse storage area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained for the use of refuse storage thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

Description of site:

The application site consists of the first and second floor of the building located on the eastern side of the High Street at the junction with Station Road. The site is located within the designated town centre of Epping and the Conservation Area.

The site currently consists of a self-contained office with access from a side doorway on Station Road. There is no off-street parking on site.

Description of proposal:

Consent is being sought for the change of use of the existing office to three residential units consisting of two no. 2 bed flats and one no. 1 bed flat. The only external alterations proposed would be the insertion of two second storey flank windows and two first floor rear windows and the slight enlargement of the existing lobby.

Relevant History:

None

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built form
CP6 – Achieving sustainable urban development patterns
DBE9 – Loss of amenity
TC3 – Town centre function
HC6 – Character, appearance and setting of Conservation Areas
HC7 – Development within Conservation Areas
ST1 – Location of development

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

Consultation Carried Out and Summary of Representations Received:

51 surrounding properties were consulted and a Site Notice was displayed on 24/11/14.

TOWN COUNCIL – Object. Epping Town Centre is losing office and retail space to residential units at a pace which is unsustainable. This trend is a threat to the long term economic viability of Epping as a centre of employment and trade. There is no evidence that the office accommodation is no longer required as the offices are currently occupied.

The proposed flats are large units and no provision for parking has been made within the scheme. Whilst this is a so called 'sustainable' location, it is completely unrealistic to expect that people who would purchase these flats at the prices they would command will not have cars which will end up being parked in residential streets around Epping further exacerbating the already unsustainable parking problem in the town.

EPPING SOCIETY – Object. The loss of existing business space is not justified. No evidence is provided that the office space is no longer required. The proposed design has no car parking spaces for three households. It is likely that, once occupied, the town's limited parking would be used.

Main Issues and Considerations:

The lawful use of the existing site is as an A2 office currently occupied by Lloyd Williams chartered surveyors. Under Class F of Part 3 of the Town and Country (General Permitted Development) Order (GPDO) the existing A2 use on the site could be converted into two flats without the need for planning consent. However since the application proposes to change the use into three flats,

and because there are some, albeit minor, external alterations proposed, planning permission is required for the development.

The main issues with the application are considered to be the effect on the vitality and viability of Epping Town Centre, the impact on the conservation area, any potential loss of amenity to surrounding properties, and with regards to parking.

Town Centre:

Whilst the existing first floor office is an employment use that is suitable to this town centre location the provision of residential flats on upper storeys is recognised as being beneficial to town centres as it increases activity, security and custom. This is highlighted within paragraph 23 of the National Planning Policy Framework (NPPF) which states that Local Planning Authorities should, amongst other factors, *“recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites”*. Local Plan policy TC3 also highlights that the Council will *“permit residential accommodation in appropriate locations but not at ground floor level”*.

The application site is located within Epping town centre, which is one of the larger built up towns within the District and is well served by local services and amenities, and has good public transport links. The ‘golden thread’ that runs through the NPPF in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of residential development within this type of location is considered to accord with this presumption and therefore this should be afforded significant weight.

The Town Council and Epping Society object to the application partly on the basis that the development would lead to a loss of employment space and the Town Council have highlighted that *“Epping Town Centre is losing office and retail space to residential units at a pace which is unsustainable. This trend is a threat to the long term economic viability of Epping as a centre of employment and trade”*. No evidence has been provided by the applicant to show that the existing A2 use is no longer desirable or fit for purpose.

Whilst the concerns of the Town Council and Epping Society are appreciated Central Government have recently introduced several changes to the permitted development regulations, with one of the aims being to facilitate the conversion of units to alternative uses. The clear aim is to ensure the planning system plays a part in kick-starting growth and aiding the emergence of the British economy from recession. These permitted development rights include the ability to change an A2 office (or the upper floors of an A1 retail unit) into up to two flats, or to change the use of B1 (offices) into as many residential units as can be accommodated. Furthermore, Class 1A of Part 3 of the GPDO, which came into force in April 2014, allows for the change of use of small A1 or A2 units even on ground floor level to be converted into residential use (subject to various restrictions). None of these permitted changes require an existing unit to be vacant nor do they demand any proof that a site is no longer desirable for its original use.

Paragraph 23 of the NPPF still suggests that Local Authorities should set policies which identify primary shopping areas and which recognise town centres as the heart of the community, which suggests that policies to protect the vitality and viability of town centres should remain, albeit in a more flexible way than previously required. However countless reports point to the fact that in the near future town centres *“should become community hubs with housing, education, entertainment and leisure facilities”* (The Planner November 2013). The recent changes to permitted development allow for a much more multi-faceted town centre where the Local Planning Authority has less control over intended use, which should instead be led by market forces.

Whilst it is regrettable to lose a business use within this location the change of use of the site to two residential units (without the proposed external alterations) could be undertaken without any

planning approval, which would result in the same loss of employment as that proposed. Given the Government's recent changes to the planning system and the weight given to the presumption in favour of sustainable development it is considered that the use of the existing A2 unit for three residential flats would not be any more harmful to the overall vitality and viability of the town centre than the lawful 'fallback' position.

Design:

The proposed external alterations to the existing building would be minor and would not alter the overall character or appearance of the building or the wider conservation area. The proposed new windows would complement and generally match those of the existing building and would be timber framed. As such it is not considered that the proposed change of use would be harmful in terms of the proposed external alterations.

Amenity considerations:

The introduction of residential use on the upper storeys and the proposed new windows would not result in any undue loss of privacy or overlooking of neighbouring properties. The proposed bin store serving the flats would be located within the existing 'yard' area to the east of the building and would not be unduly harmful to the amenities of neighbours.

The proposed flats would not benefit from any private or communal amenity space, however this is not unusual for flats such as these located within a town centre. Therefore it is not considered that the lack of amenity space would constitute a reason to refuse consent for the proposed development.

Parking:

The Essex County Council Vehicle Parking Standards (2009) recommends that a scheme such as that proposed should be served by six parking spaces (which equates to 2 x spaces for each two bed flat, 1 x space for the one bed flat and 1 x visitor space), however it does state that "*a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities*".

No off-street parking provision is proposed to serve the flats, which is a further point of objection from the Town Council and the Epping Society. Although these concerns are understood a residential development within a sustainable location such as this can be considered acceptable as a zero parking scheme. A similar example of this was agreed by the Planning Inspectorate on application ref: EPF/1924/12 for No. 261 High Street, Epping, which proposed the conversion of first floor offices and a bedsit into four flats. Within the appeal decision for No. 261 High Street the Inspector stated that:

No off-street parking is associated with the proposal. According to the appellants undisputed calculations, under the standards there would be a requirement for 5 spaces for the existing uses and 6 for the proposal. The parking standards document identifies that the standards can be reduced in town centre locations with good access to public transport.

The site is located within Epping Town centre. This is agreed to be a sustainable location with ready access to facilities. Notwithstanding that the existing uses are long-established, the parking demand generated by the proposal is unlikely to be significantly greater than that resulting from these uses. In this context the application of a relaxation from the normal standards would favour allowing the proposal, and there is no material conflict with the development plan in this respect.

In addition, the proposal would be a sustainable development which warrants support according to the National Planning Policy Framework. This advises that development should only be refused on transport grounds where the residual cumulative impacts are severe. There is no evidence to suggest that there would be such an impact in this case.

Furthermore, unlike the above example whereby the proposed use had a higher parking requirement than the previous use, the Vehicle Parking Standards would recommend that the existing use of this application site should be served by nine off-street parking spaces (which equates to 1 x space for each 20 sq. m. of A2 use). Therefore the existing lawful use of the site theoretically results in a far greater parking demand than the proposed use that would, according to the Standards, result in a 50% reduction in parking demand on the site.

In addition, whilst the Town Council consider that future residents would end up parking in surrounding residential streets, the surrounding roads (i.e. Hemnall Street, Kendal Avenue, Station Road, The High Street, St. Johns Road, Hartland Road, Bakers Lane and Nicholl Road) all have parking restrictions that would deter parking on these streets without the relevant residential parking permits first being obtained.

Conclusion:

The principle of redeveloping these upper storey A2 offices is deemed appropriate by Central Government, as is evident by the recent changes in permitted development rights. This permitted development means that there is a realistic fallback position to convert the existing offices into two residential units without first requiring planning consent. The redevelopment into three flats and the minor external alterations to the building would not have any greater impact than the lawful change of use to two residential units nor would it be unduly detrimental to the character and appearance of the main building or the conservation area.

Whilst there are understandable concerns with regards to the loss of employment/business use on the site the vacancy of the property is not a consideration with the permitted development fallback position and it is accepted that residential use within town centres can be equally beneficial to the overall vitality and viability of such area.

Although there would be no off street parking provision or amenity space to serve the proposed flats this is not unusual for locations such as this. Furthermore the existing A2 use of the site would theoretically demand a higher level of parking provision than the proposed residential units, which currently does not benefit from any off-street parking space. Therefore it is considered that the lack of parking and amenity space is considered acceptable in this instance.

Due to the above it is considered that the proposed development is in accordance with the relevant policies within the Adopted Local Plan, which are consistent within the National Planning Policy Framework, and the application is therefore recommended for approval.

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

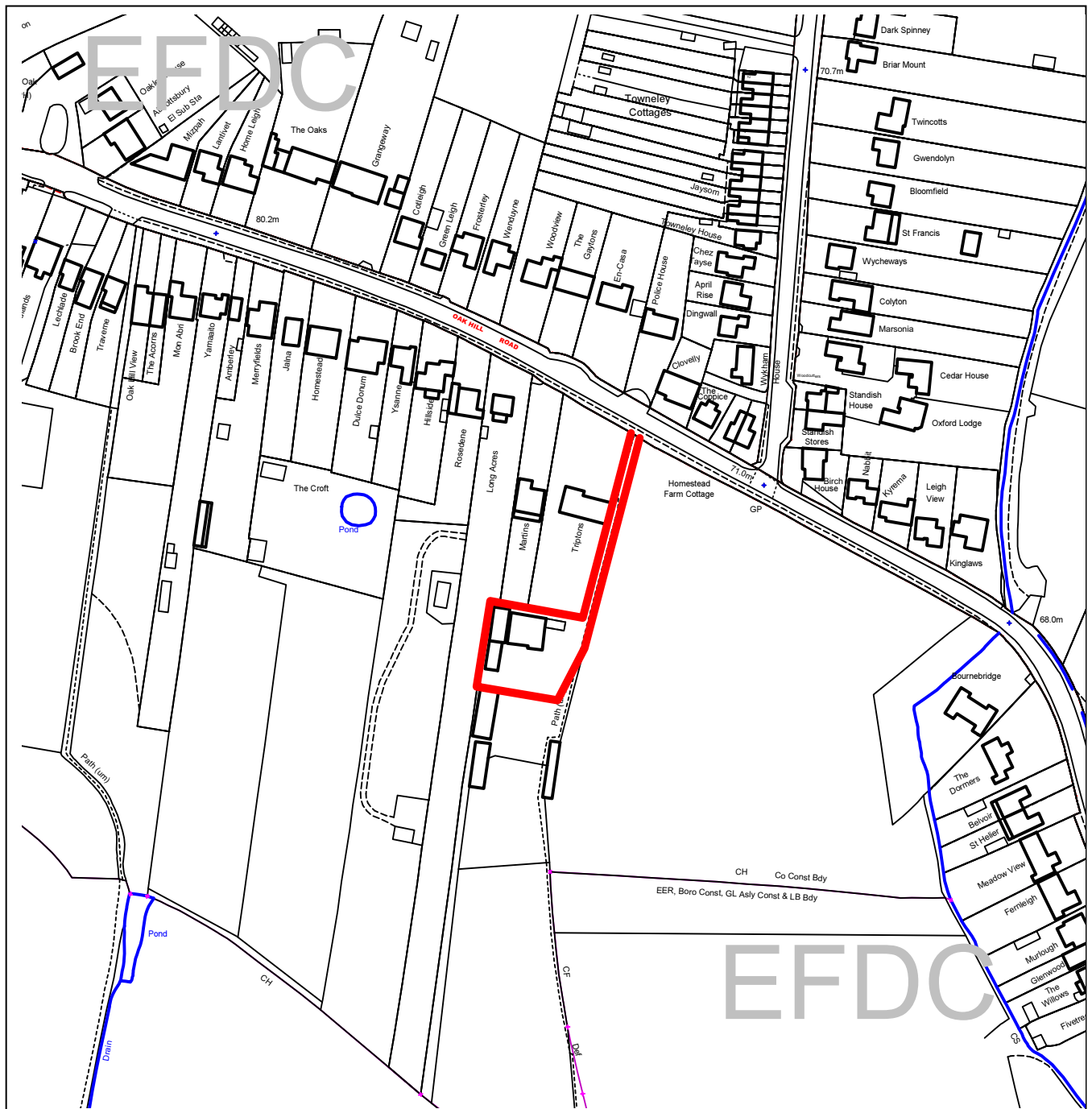
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/2640/14
Site Name:	Land to the rear of Triptons, Oak Hill Road, Stapleford Abbots, RM4 1JJ
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/2640/14
SITE ADDRESS:	Land to the rear of Triptons Oak Hill Road Stapleford Abbots Essex RM4 1JJ
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr Collin Hunt
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings, erection of two bungalows
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570732

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The public's rights and ease of passage over public footpath no.26 Stapleford Abbots shall be maintained free and unobstructed at all times.
- 3 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 4 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and

approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

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

- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

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

Description of site

Triptons is located within the settlement of Stapleford Abbots. The application site is located to the rear of the existing dwelling and currently has three outbuildings which have been used previously as workshops, sheds and garages. The outbuildings are directly to the rear of the property known as 'Martins'. Access to the outbuildings is via a private access from Oakhill Road, which runs directly adjacent to Triptons. The application site is located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposed development is to demolish all three outbuildings and to replace them with two bungalows.

Relevant History

None relevant

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
CP7 – Urban Form and Quality
H2A – Previously developed land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in Urban areas
DBE6 – Car Parking in New Development
DBE8 – Private amenity Space
DBE9 – Impact on amenity
ST6 – Vehicle Parking
GB2A – Development in the Green Belt
GB7A – Conspicuous Development

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

Consultation carried out and summary of representations received

9 Neighbours consulted – NO COMMENTS RECEIVED

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

Comments on Stapleford Abbots Parish Council representation

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

Issues and Considerations

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

Principle of development

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

The proposed new dwellings will replace the now disused outbuildings. Given that it is on previously developed land the development is not inappropriate. Furthermore the dwellings will be reasonably similar in size to the current outbuildings and therefore will not cause any further harm to the openness of the Green Belt. Given that it is sited away from public areas of the Oak Hill Road, it will not be visible from most public viewpoints. In addition there is a further lawful dwelling on land immediately to the rear of the application site (within the same ownership) and there is not therefore a further intrusion or expansion of residential character into the green belt. As such the harm to the Green Belt is limited.

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

The location of the proposed dwellings to the rear of Triptons is a back land development which is somewhat against the wider pattern of development in the locality. However the need for housing in the district is high and there is a pressing need to maximise the potential of sustainable brownfield sites. Furthermore, given that the outbuildings already exist to the rear of Triptons, and

an existing dwelling is already in existence to the rear the harm caused in the context of the wider locality will be minimal.

Living conditions of neighbours

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

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

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

Design

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

Highway issues

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

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

The public's rights and ease of passage over public footpath no.26 Stapleford Abbots shall be maintained free and unobstructed at all times. This will ensure the continued safe passage of the public on the definitive right of way and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

Land Drainage

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

Contaminated Land

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

Conclusion

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

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

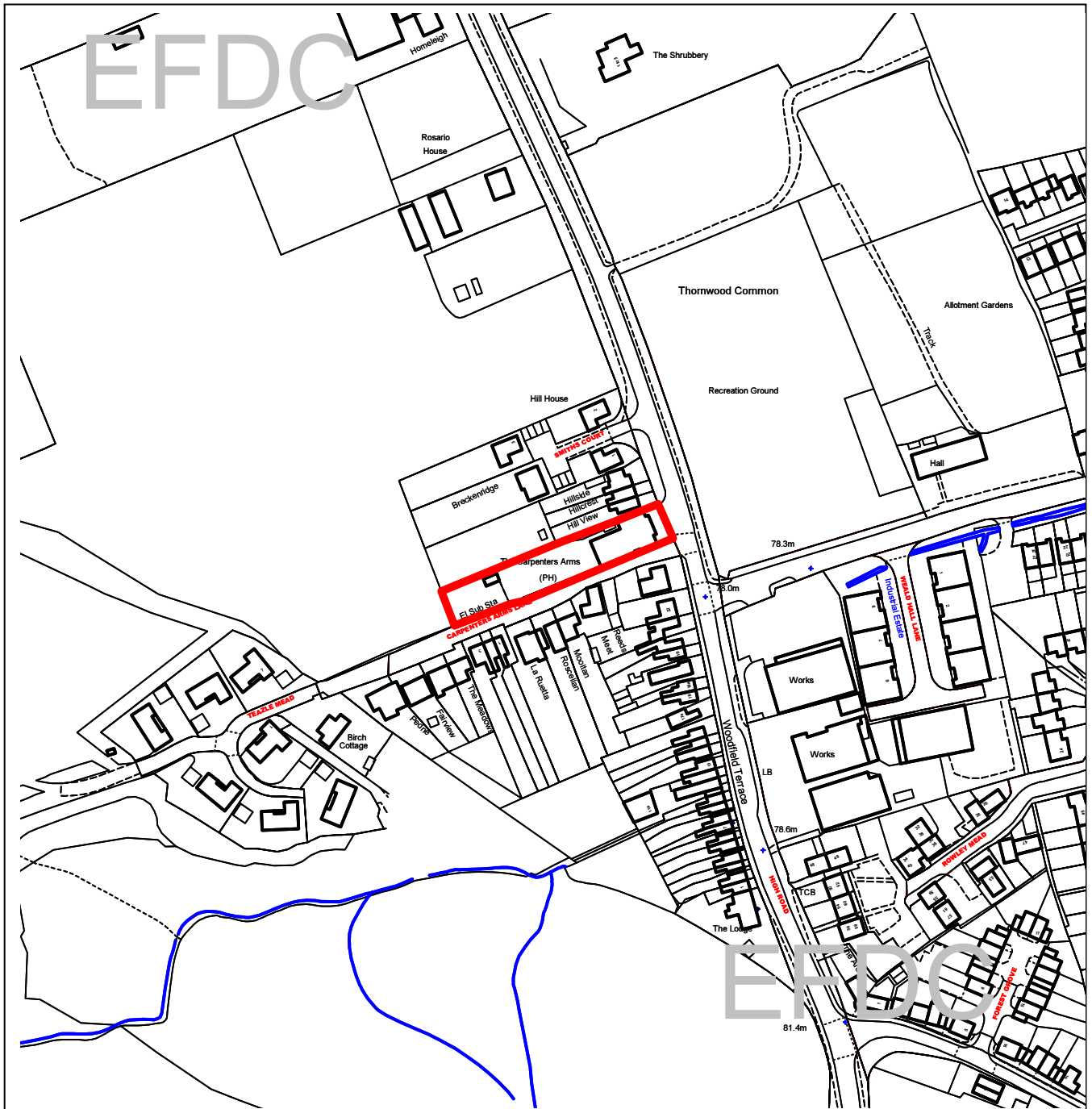
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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

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Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/2670/14
Site Name:	Carpenters Arms, High Road Thornwood, North Weald, CM16 6LS
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/2670/14
SITE ADDRESS:	Former Carpenters Arms High Road Thornwood North Weald Essex CM16 6LS
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Des Rees
DESCRIPTION OF PROPOSAL:	Demolition of Restaurant. Erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570910

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: DR/CA/01, CA SCH 4 06a, L 6033, CA 11, /P/01, /P1/02, /P1/03, /P1/04, /P2/02, /P2/03, /P2/04, /P3/02, /P3/03, /P3/04
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 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 extensions generally permitted by virtue of Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works

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

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 The parking area shown on plan no's: CA/SCH 4 06a and [awaiting plan] shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. 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.
- 10 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]
- 11 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]

- 12 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]
- 13 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.
- 14 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.
- 15 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.

- 16 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 17 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 18 Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, for the provision of a footway with a maximum width of 2 metres across the site frontage from the Carpenters Arms Lane junction to the existing footway to the north of the site. This shall include some radius kerbing, dropped kerbs for pedestrians and the provision of dropped kerbs for the 3 vehicular accesses to the development. The approved scheme of works shall be implemented prior to first occupation.
- 19 Prior to the first occupation of the development a 1.5m x 1.5m pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.
- 20 Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 21 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 22 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)), since it is for a type of development that cannot be

determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).), and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)).

Description of Site:

The application site is a relatively large, part two storey part single storey detached building that was previously a public house, however was last used as an Indian restaurant (now closed). To the rear of the building is an associated car park. The building itself is located outside of the Metropolitan Green Belt however the remainder of the site is within the Green Belt.

To the immediate north of the site are residential properties fronting the High Road and within Smiths Court, and on the opposite side of Carpenters Arms Lane to the south are a row of residential properties leading down to Teazle Mead to the west of the site. To the west and east (on the opposite side of the High Road) are open fields. The site is located within an EFDC flood risk assessment zone and partially within an Environment Agency Flood Zone 2.

Description of Proposal:

Consent is being sought for the demolition of the existing building and construction of five houses. The existing building was the former public house, which was last used as an Indian restaurant but is now vacant. The proposal would consist of a terrace of three houses fronting onto the High Road and two detached dwellings fronting Carpenters Arms Lane.

The three terrace dwellings would all be 4.5m in width and 9.5m in depth (with the central dwelling being 10.25m deep) with ridged roofs reaching a height of 8.7m and habitable roof areas served by rooflights (with the exception of the central dwelling that would benefit from a rear dormer window). The detached dwelling at the western end of the site (Plot 1) would be 10m in width and a maximum of 8.7m in depth with a ridged roof to a height of 8.2m. This would benefit from a gable ended front projection. The second detached house (Plot 2) would be 7.5m in width and a maximum of 9.2m in depth with a ridged roof to a height of 8.4m. This would also benefit from a gabled front projection with a bay window.

The proposed terrace properties would all be three bed houses and the two detached properties would be four bed houses. The terrace properties would benefit from one parking space per unit within the front garden areas (accessed from the High Road) and the detached houses would each have two parking spaces to the side of the dwellings accessed from Carpenters Arms Lane. There are also five additional spaces proposed at the western end of the site within a small car park accessed from Carpenters Arms Lane.

Relevant History:

EPF/1708/12 – Proposed demolition of existing building and construction of six houses – withdrawn 05/11/12

EPF/0340/13 – Demolition of existing building and the construction of five houses – refused 11/04/13

EPF/1810/14 – Demolition of existing public house and erection of 12 no. flats – withdrawn 12/11/14

Policies Applied:

CF12 – Retention of community facilities

CP1 – Achieving sustainable development objectives
 CP2 – Protecting the quality of the rural and built environment
 CP3 – New development
 CP6 – Achieving sustainable urban development patterns
 GB2A – Development within the Green Belt
 GB7A – Conspicuous development
 H2A – Previously developed land
 H3A – Housing density
 H4A – Dwelling mix
 U2B – Flood risk assessment zones
 DBE1 – Design of new buildings
 DBE2 – Effect on neighbouring properties
 DBE4 – Design in the Green Belt
 DBE8 – Private amenity space
 DBE9 – Loss of amenity
 LL10 – Adequacy of provision for landscape retention
 LL11 – Landscaping schemes
 ST1 – Location of development
 ST4 – Road safety
 ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

41 neighbouring properties were consulted and a Site Notice was displayed on 01/12/14.

PARISH COUNCIL – Objects to this application on the following grounds:

Concern at the boundary line indicating properties being built over the boundary line, there are inconsistencies on the plans, no full details of the street scene included with the plans, plan detail approximate heights only, whilst the area is not in a flood zone it is within 20m of a watercourse.

There is a concern at the height, overdevelopment, or the proposal. Totally out of keeping with the area. There are flooding concerns, there are highway issues with the egress and ingress to the site, concern at the parking to the front of the site, and the site lines. Concern at parking concerns along Carpenters Arms Lane. The proposal would be prominent in the street scene. There is concern as to the density of the proposal, there is concern as it is the last public house in the village of Thornwood Common and is a community facility – has a study been carried out to see if it can run as a 'going concern', if so can details of this be provided. Overlooking into adjacent properties. It would have a detrimental effect on the visual amenities of the residents in the area. The style of the development is out of character and out of keeping with the area.

Members would like to ascertain what studies have been undertaken in relation to the loss of a community facility. Has a survey of the residents of Thornwood Common been undertaken. The Carpenters Arms Pub is listed by the Parish Council as an Asset of Community Value (sic).

EPPING SOCIETY – Object. Whilst in principle the site should be redeveloped the bulk of the town houses that front onto the High Road would be overbearing and have a negative impact on the street scene.

ROSTELLAN, CARPENTERS ARMS LANE – Object as five houses represents overdevelopment, due to the impact on the Green Belt, since town houses would be inappropriate for the village, the highway safety issues with the High Road, highway concerns revolving around Carpenters Arms Lane, loss of light and privacy to neighbours, and due to possible flooding issues.

BRECKENRIDGE, SMITHS COURT – Object to the erosion of the Green Belt, due to highway safety concerns about cars reversing onto the High Road, the loss of the existing trees on Carpenters Arms Lane, overlooking of neighbouring properties, since the existing car park is used by workers on the nearby industrial site, and since it would be preferable to see the site returned to its original state of some 15 years ago.

HILLVIEW, HIGH ROAD – Not objecting in principle but concerns that the previous application for six houses was preferable since only two would have fronted the High Road and there would have been less impact on their property, the existing landscaping does not adequately shield the site from view, there may be inadequate parking provision, the front houses will be just five foot from their house and would result in a loss of light to the bathroom window, concerned about what will happen regarding the shared boundary, there is an asbestos roof on the outbuilding that is to be demolished, and it is considered that the demise of the former Carpenters Arms was down to ignorance towards the rights of neighbours and villagers.

MOOLTAN, CARPENTERS ARMS LANE – Object as this is overdevelopment of the site and detrimental to the visual amenities of surrounding residents. The town houses and development on this side of Carpenters Arms Lane would be out of character with the area. There would be a loss of existing parking. This would set a precedent for further development in the Green Belt that would further increase traffic, noise and flooding. There would be a loss of existing vegetation and possible flooding effects. The new houses would result in a loss of light, outlook and privacy to neighbouring residents. Concerns over land ownership. There would be an increase in traffic and highway safety concerns. There are insufficient facilities for residents of the village as it is without introducing more houses.

3 CARPENTERS ARMS LANE – Object as the increased residential density and car usage would have a detrimental effect upon the quality of life of local residents and would put an increased strain on the infrastructure of the village.

HILLHOUSE, 1 SMITHS COURT, HIGH ROAD – Object due to highway safety concerns, the loss of the existing trees, loss of privacy to neighbours, the impact on the Green Belt, and since this would remove the existing parking area used by employees at the nearby industrial estate.

FLAT 1, NEW HOUSE, CARPENTERS ARMS LANE – Object as this is inappropriate development and would cause parking and access problems, there would be a loss of privacy to neighbours, highway safety concerns, and the application site includes Green Belt land.

LA RUETTE, CARPENTERS ARMS LANE – Object since the development is out of scale with the plot, would result in increased traffic and parking, involves the loss of trees and hedges, potential flooding issues, highway safety concerns and due to problems during construction, and regarding damage to Carpenters Arms Lane.

2 MIDDLEFIELD, HALSTEAD – Object to the loss of the public house.

20 HIGH MEADOWS, CHIGWELL – Strongly object.

62 EPPING WAY – Object to the loss of the community building.

29 THORNHILL, NORTH WEALD – Object to the loss of the public house.

48 BLACKBUSH SPRING, HARLOW – Object as the development would cause congestion and road safety problems, there is inadequate parking provision, and due to the loss of the public house.

154 PETERSWOOD – Object as this is overdevelopment of the site, it would not be in keeping with the local area, and due to the loss of the public house.

13 CRANSTON GARDENS – Object as the development would not be in keeping with the area and would result in parking and access problems.

61 MARLBOROUGH ROAD – Object as the development is not in keeping with the local area and due to the loss of the public house/restaurant.

21 OAK HILL – Object as it would appear out of place in the area and would result in parking problems.

Issues and Considerations:

The main issues here relate to the suitability of the site, the impact on the Green Belt, the loss of the community use, the character of the area, the neighbours amenities, impact on existing landscaping, and with regards to highway and parking issues.

Suitability of the site:

The application site consists of a former public house within the village of Thornwood Common. The National Planning Policy Framework (NPPF) puts forward a presumption in favour of sustainable development and contains guidance within its Core Planning Principles as to what this seeks to achieve. Within this, the NPPF states that (amongst other principles) planning should:

- *Encourage the effective use of land by reusing land that has been previously developed (brownfield land);*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling; and*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Although the application site would constitute previously developed land it is not considered to be within a sustainable location. Although there is a bus service which runs into Epping and Harlow the village does not have essential facilities and services and is not within walking distance of any such facilities. Whilst it would be possible to cycle from Thornwood Common into Epping there are very narrow pavements along this busy road (High Road – B1393) which make walking and/or cycling extremely difficult. The village at present contains one restaurant (the application site), an OAP social club, a small farm shop, and a petrol station located outside of the village envelope. The unsustainable nature of this site weighs against the development.

Concern has been raised by neighbouring residents that the proposal would result in an overdevelopment of the site, however the proposal would equate to a density of approximately 45 dwellings per hectare, which falls within the recommended site density of 30-50 dwellings per hectare as stated within Local Plan policy H3A.

Green Belt:

Whilst the existing building is located outside of the Metropolitan Green Belt the car park to the rear is within the designated Green Belt. The previous application to erect five houses on this site (EPF/0340/13) was refused planning consent in part for the following reason:

The 2 proposed detached dwellings are within the Green Belt and would constitute inappropriate development within the Green Belt and would be harmful to the openness and character of this area. No very special circumstances exist to outweigh this, or any other identified, harm and therefore the development fails to comply with Government guidance in the form of the National Planning Policy Framework and policies GB2A and GB7A of the adopted Local Plan and Alterations.

This application has altered the layout of the proposed development over that previously submitted so that only the western-most dwelling (Plot 1) is located within the designated Green Belt. Whilst the NPPF does allow for *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use”* this is on the proviso that the development *“would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”*. As the parts of the site located within the Green Belt are currently open areas of hardstanding or vegetated land the erection of a dwelling within this area would clearly have a greater impact on the openness of the Green Belt than the existing development. As such this exemption would not apply and the dwelling on Plot 1 would therefore constitute inappropriate development in the Green Belt.

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

In terms of the potential benefits of the proposal, the NPPF encourages the reuse of previously developed land as one of its core Planning Principles, as does Local Plan policy H2A that states *“the re-use of previously developed land will be encouraged when considering residential and mixed use (including residential) development schemes”*. Whilst the loss of the community facility will be covered in more detail below the site does constitute previously developed land and has been vacant for a number of years and a large section of this is located outside of the Green Belt. Therefore in principle the redevelopment of this site is acceptable.

Whilst the proposed new house on Plot 1 would introduce built form into the Green Belt that does not currently exist the entire scheme would result in an overall reduction in built footprint across the entire site (both the section within and outside of the Green Belt). The proposed development would reduce the footprint of building across the entire site by 25% and would result in a reduction in the level of hardstanding by approximately 57%. Therefore the proposal would result in an increase in the level of openness generally across the site, albeit not specifically within the designated Green Belt.

Further to the above, the application site is partially located outside of the Green Belt and the parcel of land containing Plot 1 is immediately adjacent to the village of Thornwood with residential properties to the east (along the High Road), to the north (in terms of Smiths Court), to the south (along Carpenters Arms Lane), and, although detached, to the west by way of Teazle Mead. Therefore the erection of one dwelling within the designated Green Belt in this location would be viewed within the context of the village and would have relatively limited harm in terms of openness.

Lastly, Central Government is currently putting great weight on the need to provide additional housing in suitable locations and Eric Pickles recognised in a statement made in March 2011 that “every new home built will create jobs in the UK building industry”. Whilst the site is not particularly sustainable (see above) there are economic benefits that would result from the reuse of this brownfield site that is currently vacant and offering no benefit to anybody (including local residents).

Although the previous arguments were not sufficient enough to outweigh the harm from two new dwellings within the Green Belt (as determined in EPF/0340/13) it is considered that the overall reduction in built form and hardstanding and the redevelopment of this brownfield site on the edge of Thornwood (surrounded by residential properties) is sufficient enough to outweigh the harm from a single dwelling being located within the designated Green Belt in this location.

Loss of community/employment use:

Much concern has been raised that the development would result in the loss of a community facility. Local Plan policy CF12 states that:

Permission will only be granted for proposals which will entail the loss of a community facility where it is conclusively shown that:

- (i) the use is either no longer needed or no longer viable in its current location; and**
- (ii) the service, if it is still needed, is already, or is to be, provided elsewhere and accessible within the locality to existing and potential users.**

Where planning permission is granted for proposals that will entail the loss of a community facility, the Council will consider favourably alternative uses which fulfil other community needs and which satisfy other policies of the plan. Where there is an identified need for another facility, the Council will have to be satisfied that the site is unsuitable for that use prior to considering the site for open market housing or other commercial proposals.

Throughout the previous applications details of the history and trading of the site have been submitted. With EPF/0340/13 evidence was provided stating the following:

- The site was purchased in 2002 and around £350,000 was invested into the business.
- Between 2002 and 2008 several complaints were received from neighbours that resulted in three convictions of the owner costing in excess of £12,000 in fines and costs.
- In 2006 there was a loss of £93,464.
- In 2007 there was a loss of £78,425.
- In 2008 there was a loss of £10,761.
- In 2009 there was a loss of £3,122.
- In 2008 a 25 year lease was sold to the restaurant owner, who went missing in 2012 and has indicated that he is insolvent.

With the previous application to redevelop the site into 12 flats (EPF/1810/14) the submitted Supporting Statement claims the following:

The current owner purchased the property in 2002. Soon after it was extended to provide a 56 cover restaurant. This was named ‘Ridgeways’ with the then Carpenters Arms being retained as a public house. Meanwhile the other public house (in Thornwood), the Blacksmiths Arms, was de-licensed and ceased trading due to lack of use.

Trading at Ridgeways continued until September 2008. Financial losses in three years (2006 to 2008) amounted to some £183,000. From 2002 to 2008 the restaurant owner was beset by noise nuisance complaints resulting in three convictions with fines and costs in excess of £12,000.

In 2008, amid growing losses and complaints, the present owner decided to sell the business. The property was marketed for a year as a leasehold and there was but one applicant who undertook a 25 year leasehold. The entire ground floor premises became an Indian restaurant and was renamed. It is understood that, when the restaurant was again trading, there were numerous complaints regarding odours.

The leaseholder remained for two years and then left, whereabouts unknown, but by way of an email message has indicated insolvency.

The sequence of events since 2002 have, therefore, shown that the facility is no longer viable or needed, if indeed it ever was. Nor does there appear to be a need for any other community facility. Apparently a Parish Council survey in 2011 indicated that the building of a new village hall would not be sustainable. Not that the site of the Carpenters Arms would have been a suitable one.

There are understandable concerns with regards to the loss of this community facility since this is one of the last facilities within the village of Thornwood. Furthermore the above information does not constitute a viability assessment and is unsupported by any financial information. The original investment in the business in 2002 is given little weight, as these investment costs may have been offset by the purchase price of the site. Similarly the £12,000 costs as a result of the applicant's convictions are not considered to be relevant to a financial assessment of the business.

The fact that the current owner has not been able to make a viable business of the site (although it appears that they were making headway on this since the stated losses were dramatically decreasing year by year) does not mean that another owner/manager could not successfully run a business in this property, particularly if the use were to be combined with another facility required in this location (such as a shop or post office). Furthermore, although there are other pubs within Epping, Coopersale and North Weald, all of which are within 2 miles of the application site, these are still some distance from Thornwood Common and are not easily reached by sustainable means of transport. As such it is not considered that these would meet the criteria of being "accessible within the locality to existing and potential users".

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

It is the remit of the Local Authority to designate a site as an ACV however this site has not been submitted to the Council for designation. Therefore this property **is not** on any list as an Asset of Community Value. Whilst it may be the intention of the Parish Council to put this forward for designation they have not submitted this at the time of writing this report nor is there any guarantee that the site would be designated. If a site has an ACV designation this can be a material planning consideration if a change of use or redevelopment application is submitted. However if ACV status is designated it does not prevent a planning permission being granted (nor would the grant of a planning permission override the nominating body's right to bid). In a reported planning decision in Farnborough, Rushmoor Borough Council granted planning permission for the conversion of a historic public house to a McDonald's drive through restaurant despite the building having been listed as an ACV (in February 2013) on the basis of the conclusion that limited weight should be applied to the ACV designation in determining the application as it did not appear that

there was an immediate prospect of the community buying the property. Conversely, Wiltshire Council refused consent for the conversion of a public house that had been designated an ACV in June 2013 to a single dwelling on the basis that the proposal would result in the detrimental loss of a local service with a realistic prospect of community use.

Whilst there are clear concerns from local residents regarding the loss of this building this does not alter the fact that the site has not been used as a public house since 2008 (with the last use being a restaurant, which would rarely be classified as a 'community facility') and has been vacant since 2012. Due to this factor alone it could be reasonably argued that the 'community facility' has already been lost on this site and therefore the redevelopment of the site would now not be contrary to Local Plan policy CF12. Furthermore under Classes A, AA and C of Part 3 of the Town and Country Planning (General Permitted Development) Order the former public house (or current restaurant) could be converted into an A1 (retail) or A2 (financial and professional services) use without the need for planning consent. Planning permission would however be required for change of use back to a public house. Therefore this further weakens the case for protecting the (now no longer lawful) A4 use of the former public house.

Due to the above, whilst the loss of the former public house is regrettable it is not considered that there are sufficient grounds to refuse planning consent for the redevelopment of the site since there is an argument that the community facility is no longer present on site and therefore has already been lost.

Design/character of the area:

The two proposed detached dwellings would be two storey houses with ridged roofs and would front onto Carpenters Arms Lane. Whilst this element of the proposed development would introduce housing along the currently undeveloped northern side of Carpenters Arms Lane, given the presence of the existing dwellings on this lane, along with those at Teazle Mead, it is not considered that this would be unduly detrimental to the character of the area. The existing properties within Carpenters Arms Lane are predominantly two storey dwellings that vary in size and design and as such it is considered that the proposed detached houses would not be unduly harmful to the overall appearance of this lane.

The front three dwellings would continue the existing linear development along the western side of the High Road and whilst described as 'town houses' are actually two storey houses with additional rooms in the roof slope (as opposed to traditional three storey town houses with roofs above the second floor). The dwellings along this stretch of the High Road are all two storey houses varying in size and style. Although not many of the surrounding houses appear to have extended into the roof area the exception to this appears to be the property known as Thornwood House, which is located on the opposite corner of the High Road and Carpenters Arms Lane that contains front and rear rooflights. The second floor (habitable roof space) of the proposed terrace of houses would be served predominantly by rooflights, with just a single rear dormer window located on the central dwelling. The houses would have a traditional appearance with a central 'feature' terrace benefiting from a front gabled projection and it is considered that these would be wholly in keeping with the existing street scene.

The height of the proposed terrace of properties would be 8.7m which, due to the change in land level, would be 200mm below the ridge height of Hill View to the north of the site. As such the proposed dwellings would continue the existing pattern of roof heights that generally decrease (primarily due to the change in land levels) from north to south.

The existing building benefits from several unsympathetic additions, including a flat roofed front extension and extremely large rear addition, and is of no architectural merit. As such the removal of the existing building could be viewed as a positive impact on the overall character and appearance of the area.

Amenities:

The proposed development would remove the existing restaurant building, which has a far greater footprint and depth than the proposed houses. The proposed front dwellings would not significantly extend beyond the rear wall of the adjacent neighbour (approximately 600mm) and would be 1.6m/2.5m from the neighbours flank wall. As such the new front houses would be an improvement to the visual amenities of the neighbours than the existing public house.

The detached house on Plot 2 would be located some 5m from the northern boundary of the site and would only contain a single rear first floor window serving a bedroom that would face onto the neighbouring land. The dwelling on Plot 1 would have three rear first floor windows (two serving bedrooms and one serving a bathroom) located some 6.5m from the shared boundary. Whilst these are closer to the shared boundary than would normally be desired the sections of neighbouring garden that would be affected would be towards the ends of the neighbour's amenity space and therefore the impact would be less significant. Furthermore any overlooking would be partially mitigated by existing planting.

The proposed new dwellings would be located at least 7m from the front boundaries of the properties on the opposite side of Carpenters Arms Lane, who themselves have front garden areas. Due to these distances there would be no unduly detrimental loss of light, outlook or privacy to neighbouring residents as a result of the proposed rear houses.

Whilst the detached dwelling on Plot 2 proposes a first floor flank window facing the proposed terrace properties this would be located some 16m from the rear of the terrace houses and, given that this forms one development, such an impact would be considered 'buyer beware'.

The proposed terrace dwellings would be expected to provide at least 80m² of private amenity space and the detached dwellings would be expected to provide 120m². The properties all appear to achieve roughly this desired level (in some cases having around 77m² and 116m²). Therefore it is considered that the level of private amenity space proposed is acceptable.

Landscaping:

Local Plan policy LL10 states that "*the Council will refuse to grant planning permission for any development which it considers makes inadequate provision for the retention of: (i) trees; or (ii) natural features, particularly wildlife habitats such as woodlands, hedgerows, ponds and watercourses*". Policy LL11 states that "*The Council will (i) refuse planning permission for any development which makes inadequate provision for landscaping*".

The proposed development would involve the removal of the existing trees along the boundary of the existing car park and Carpenters Arms Lane. These trees have been assessed by the Council's Tree & Landscape Officer and are not considered to be of significant amenity value to warrant protecting or retention. Therefore the removal of these is considered acceptable.

Details of how the trees along the northern boundary will be protected during construction would be required, however can be dealt with by way of a condition, and it would also be necessary to approve details of hard and soft landscaping by way of a condition.

Highways/parking:

The Essex County Council Vehicle Parking Standards requires two parking spaces for each of the dwellings plus two visitor parking spaces (0.25 spaces per dwelling rounded up). The proposed development meets these requirements since it proposes twelve off-street parking spaces to serve the five dwellings, which would be laid out so that each of the three terrace properties would have

a single parking space within the front garden and the two detached dwellings would have two spaces within their side gardens. The remaining five spaces would be arranged within a small car park at the western end of the site. Whilst this is a somewhat unusual layout, in that the second space of each of the terrace houses would be some distance from the houses, this allows for more flexible parking arrangements (i.e. some residents may only own one car and therefore would only use their front space, whereby others may own three cars and therefore could make use of a free space within the car park – either by way of the parking being unallocated or by private agreement).

Essex County Council raised no objection to the level of parking provision proposed or its location/layout. Whilst the dwellings at the front of the site would all be served by a parking space accessed directly off of the High Road, which would result in cars either entering or leaving the site in reverse, there are several other examples of this within the village and it is not considered that this would further impact on highway safety or the free flow of traffic. Furthermore the removal of the existing lay-by at the front of the site would remove an existing highway hazard since cars parked within this lay-by currently block sight lines to the north of the Carpenters Arms Lane junction. The proposed off-street parking to the front of the terrace properties would be further back from the edge of the highway and therefore would improve sight lines over the existing situation.

An objection has been received regarding the loss of the existing car park and the impact that this would have on on-street parking within the area, particularly since it is stated that workers of the nearby industrial estate use this area to park in. As the car park is private property and access is only granted for public parking out of goodwill the loss of this car park cannot be given any weight as the area could be closed off from public use without the need for planning permission.

Other issues:

The application site is located within an EFDC flood risk assessment zone and is partially within an EA Flood Zone 2 and is of a size where it is necessary to avoid generating additional runoff. As such a flood risk assessment should be agreed for the development, however this can be done by way of a condition.

Due to the electrical substation and previous development on this site there is the potential for contaminants to be present on site. As domestic dwellings and gardens are classified as a particularly sensitive use contaminated land investigations and possible mitigation measures will need to take place on site. These can be controlled by the imposition of conditions.

Conclusion:

Whilst the proposed development would not be located in a sustainable location and would involve the erection of a new dwelling within the Metropolitan Green Belt it is considered that the harm from this (particularly since the development would only result in a single dwelling within the designated Green Belt and is located on the edge of the village of Thornwood and surrounded by residential development) would be limited and would be suitably outweighed by other matters, including the benefits of redeveloping this brownfield site and the general economic and visual benefits the development would bring.

Whilst there is much concern that the proposal would result in the loss of a community facility the building has not been a community facility (a public house) for a number of years and the change of use from the former A4 use, or the current A3 use, to alternative uses does not require planning permission. As such it is considered that the community facility previously offered on this site has already been lost.

The proposed development meets the required off-street parking provision as laid out within the Essex County Council Vehicle Parking Standards, would provide sufficient private amenity space for future residents, complies with the recommended site density requirements of Policy H3A, and would not be unduly detrimental to the amenities of surrounding residents (and may have some benefit through the removal of the restaurant that often drew complaints from nearby residents). The loss of the existing car park is not given much weight since this is private land that could be made unavailable without consent, and the concerns regarding the impact on Carpenters Arms Lane (and any potential encroachment onto this) are not material to the planning considerations since this is a private road and therefore maintenance and upkeep issues (as well as those of ownership) are civil matters.

There has been no objection to the development from Essex County Council Highways with regards to highway safety or capacity concerns, and no objection from the Tree & Landscape Officer regarding the loss of existing trees.

As a result of the above it is considered that, on balance, the application complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

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

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