

AREA PLANS SUB-COMMITTEE 'EAST'

17 June 2015

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0660/15	Ongar Leisure Centre Fyfield Road Ongar Essex CM5 0GA	Grant Permission - Time Limited Use (With Conditions)	28
2.	EPF/2880/14	Blakes Golf Club Epping Road North Weald Epping Essex CM16 6RZ	Grant Permission (with Conditions)	40
3.	EPF/0459/15	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW	Grant Permission (with Conditions)	50
4.	EPF/0535/15	Copper Beech Harlow Common North Weald Essex CM17 9ND	Grant Permission (with Conditions)	56
5	EPF/0663/15	Epping Magistrates Court Hemnall Street Epping Essex CM16 4LU	Grant Permission (Subject to Legal Agreement)	66
6	EPF/0670/15	The Laurels New Road Lambourne End Essex RM4 1DY	Refuse Permission	76
7	EPF/0680/15	94-96 High Road North Weald Bassett Essex CM16 6BY	Grant Permission (with Conditions)	82
8	EPF/0692/15	Land to the rear of Triptons Oak Hill Road Stapleford Abbots Essex RM4 1JJ	Grant Permission (with Conditions)	88

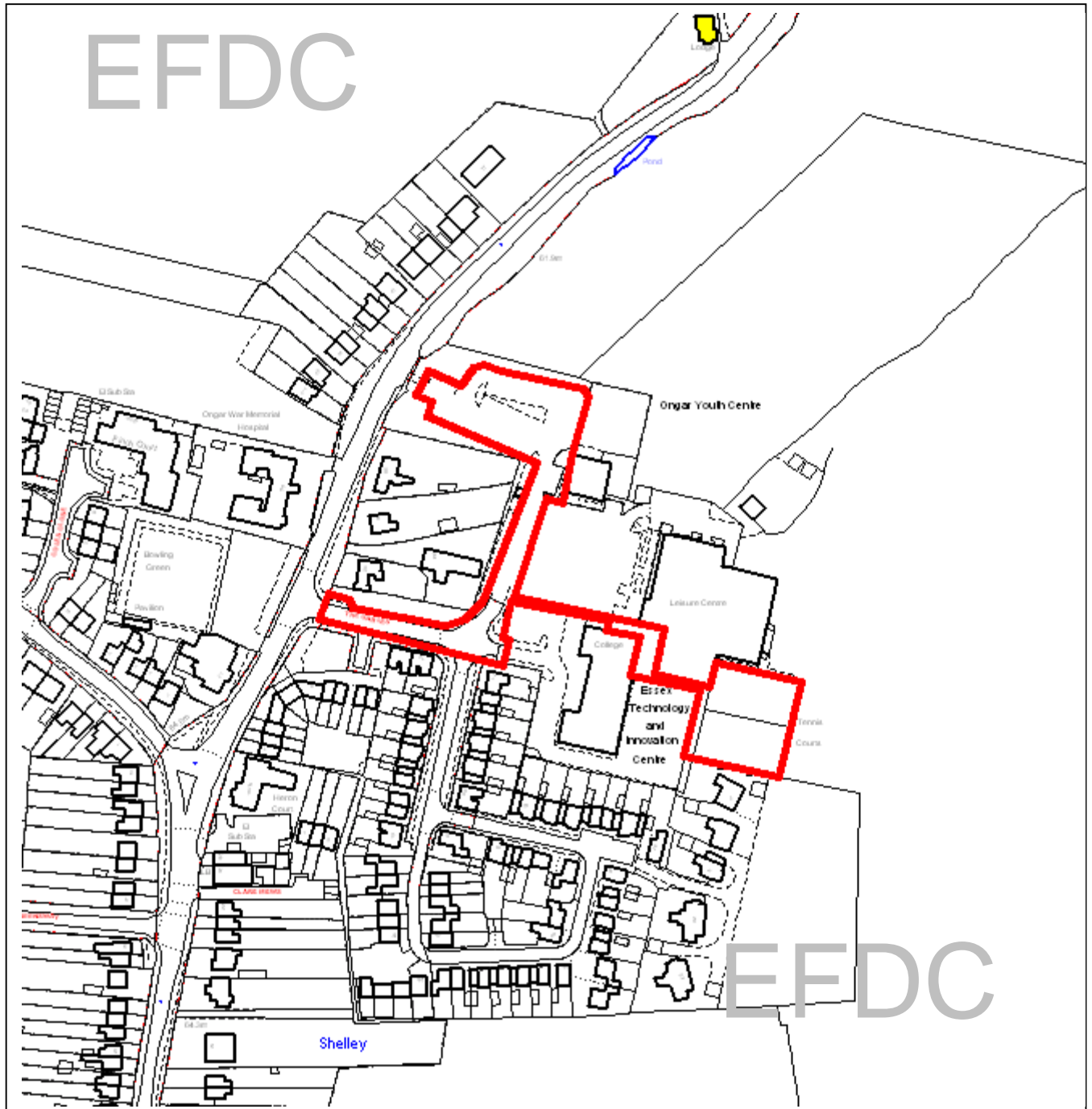
9	EPF/0735/15	Home Farm Barns Stewards Green Road Fiddlers Hamlet Epping Essex CM16 7PG	Grant Permission (with Conditions)	96
10	EPF/0744/15	90 The Orchards Epping Essex CM16 7AT	Grant Permission (with Conditions)	106
11	EPF/0753/15	22 Coopersale Street Epping Essex CM16 7QJ	Grant Permission (with Conditions)	112
12	EPF/0851/15	Pizza Express 208-212 High Street Epping Essex CM16 4AQ	Grant Permission (with Conditions)	118
13	EPF/0871/15	22 Bower Hill Epping Essex CM16 7AD	Grant Permission (with Conditions)	124

This page has been left intentionally blank



Epping Forest District Council

AGENDA ITEM NUMBER 1



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0660/15
Site Name:	Ongar Leisure Centre Fyfield Road, Ongar, CM5 0GA
Scale of Plot:	1/2500

Report Item No: 1

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

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574533

CONDITIONS

- 1 The use shall cease and the development hereby permitted shall be removed from the site together with any associated materials and the land restored on or before 1 August 2017 leaving afterwards only the hard surfaced area and the perimeter fencing.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 100 P3, 101 P3, 103 P2, 110 P2, 111 P2, 120 P3, SK-002.
- 3 Within 3 months of the commencement of the development, details of foul and surface water drainage disposal shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 The premises shall be used solely for education purposes and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class M of Part 7 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank

Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 7 The development shall only be undertaken in accordance with Mace Construction Management Plan (5th May 2015) and Mace Site Plan Construction Access, drawing number 103 P2 dated 11th March 2015 unless the Local Planning Authority gives its written consent to any variation. The Management Plan shall be adhered to throughout the construction period.
- 8 All ground works, deliveries and/or demolition shall be in accordance with the submitted Construction Management Plan (CMP) by Mace Ltd. The CMP shall be adhered to throughout the construction period.
- 9 Notwithstanding the draft Travel Plan submitted with this application, prior to first occupation of the development a school travel plan shall be submitted to and approved in writing by the Local Planning Authority.
- 10 The new access gates and barrier fencing shown between Ongar Leisure Centre and Existing Car Park on drawing no. 110 P2 and shall be erected prior to first occupation of the approved building and retained for the full duration of the planning permission after which it shall be removed on or before 1 August 2017 unless otherwise agreed in writing by the Local Planning Authority.
- 11 At no time shall there be ball-games in the play area as shown on drawing no. 110 P2.
- 12 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

This application is before this Committee since it is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council function, Schedule 1, Appendix A.(c)), and since it for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site:

The site is located on the northern edge of the settlement of Ongar, north of the A414, close to Shelley residential estate.

The site of the proposed development is an existing 0.15 ha tennis court which is south of the side wall of Ongar Leisure Centre building and north of a residential property, 44 The Gables. Beyond the site and these buildings, there are open playing fields. The playing fields, tennis courts and 5 detached houses at this end of The Gables (including no.44) are in the Metropolitan Green Belt.

Together with the Leisure Centre, this was formerly the site of the Ongar Comprehensive School until it closed in 1989 and then was redeveloped over 10 years ago providing 71 residential properties (The Gables), a new Youth Centre building and The Essex Technology and Innovation Centre building. Access to the overall site is from an existing access point off Fyfield Road, that also serves two large car parking areas and a smaller car park next to the tennis courts, as well as The Gables. A previous access to the north into one of the car parks was blocked off during the previous redevelopment of the overall site.

Description of Proposal:

Permission is sought to provide a temporary school academy accommodation for a limited 2 year period in the form of part single/part-two storey modular type buildings on an existing hard-surfaced tennis courts, which is enclosed by an enclosed 2.4m high fence (to be retained, but with addition of wider gates for access and egress) that is solid boarded at lower level with an open mesh above. The two storey element will be 7.8 metres high, centrally located and will run north to south, almost the full length of the site. Two single storey buildings, 3.2 metres high, separated by the main entrance and cycle rack parking area, will run parallel to this along the same length and direction. A raised decking area providing pedestrian access to 8 classrooms, staffroom and administration areas etc will infill the void area in between. The eastern side of the site within the tennis court area will be an open play area.

Additionally, a 1200mm fence will be added to the perimeter of the car park to allow safe access for the pupils from the drop-off point to the site. The proposed fence will match the existing fencing already erected in the car park.

This application will provide education for up to 240 pupils at year 7 and 8 entry (11 to 13 year olds). The first intake would be this coming September 2015 such that there would be a couple of months to have the buildings in place and ready in time. 120 year 7 students would start in September 2015, and an additional intake of 120 students in September 2016. For the first year the school would employ up to 15 Full-Time Equivalent (FTE) staff and in the second year a total of 26 FTE staff. The site will be in operation from 08.00 to 17.00 on weekdays.

A proposed permanent site would accommodate the school's future intake from ages 11-19 (800 students at full capacity) and the applicant states that this will in time be the subject of a separate planning application. The current planning application therefore is seen by the applicant as very much a short-term solution.

During the course of the planning application the layout has been amended with the main pedestrian entrance and cycle rack area moved towards the leisure centre building. A 2.5m solid timber fence has also been added just beyond the southern end of the raised decking area.

Relevant History:

EPF/0001/02 – Demolition of existing buildings, re-provision of Enterprise Centre, Adult Education College and Youth Centre with car parking, residential development (71 units) and public open space – Granted 5 September 2003.

Policies Applied:

Local Plan:-

CP1 and CP6 – Achieving Sustainable Development Objectives and Patterns

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CF7 – Site of Former Ongar Comprehensive School

DBE1– Design of new Buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE9 – Loss of amenity

GB2A- Development within the Green Belt

GB7A – Development conspicuous from the Green Belt

LL10 – Adequacy of provision for landscaping provision

LL11 – Landscaping Schemes

ST1 – Location of Development

ST4 – Road Safety

ST6 – Car Parking

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.

Summary of Representations:

Press Advert required and site notice displayed. Officer site visit – 28 April 2015

240 neighbouring properties were notified and the following responses were received :-

ONGAR TOWN COUNCIL – No Objection. Previously, councillors did not object to the provision of demountable classrooms in principle, but were very concerned at the effect this and a neighbouring proposed development could have on the car park at the Sports and Adult Education Centres which were already well used by residents and the staff and patients of the Ongar Medical Centre. In light of clear confirmation that this issue has been addressed by the applicant and landowners, Ongar Town Council withdrew their objection as satisfactory arrangements for car parking have been achieved.

ESSEX PROPERTY & FACILITIES – ESSEX COUNTY COUNCIL - No objection to this proposal, but ask that you thoroughly consider the impact of up to 240 young people, plus staff and visitors, at the proposed temporary school, on the business tenants, staff and users of the Essex Technology and Innovation Centre (ETIC), Adult Education Centre (AEC) and Youth Centre which are located immediately adjacent to the proposed development. It is noted that the Noise Assessment makes reference to the existing “relative quiet external noise levels” of the site. Whilst the assessment has considered noise impact on the neighbouring residential properties there does not appear to be any consideration to the impact of the school on the AEC and ETIC. The proposal provides for cycle racks, for the temporary school, being provided adjacent to the ECC car park. It is unclear whether cyclists will be routed across the ECC car park or required to dismount and follow the pedestrian access around the edge of the ECC car park beside the Leisure Centre. We

have concern about the potential conflict between cars and cyclists in the ECC car park to the side and rear of the AEC and ETIC.

The proposed car parking for the temporary school is located in the EFDC owned car park adjacent to the Youth Centre. Currently ECC staff tenants, learners and visitors to the ECC facilities have access to and use of any of the parking spaces at the Leisure Centre site, whether ECC or EFDC owned. Alteration to the car parking arrangements will be subject to the agreement of the Joint EFDC/ECC Management Group. The allocation of the proposed car parking to the school will reduce the availability of parking space for existing site users.

The proposal represents a significant intensification in use of the Leisure Centre site in terms of numbers of people on site and pedestrian and vehicle movements. Your consideration of the application should take full account of the impact of the increase in demand for parking space and increased traffic congestion within the site during the peak drop-off and pick-up times, on the practical day to day operation of the existing community facilities and the safety of pedestrians and cyclists on ECC land.

Whilst ECC is generally supportive of a new school for Ongar it is important that the proposed temporary facility does not cause unacceptable nuisance and disturbance to the continuing operation of the Adult Education Centre, Essex Technology and Innovation Centre and Youth Centre. We would therefore request that you ensure that all reasonable conditions are put in place to reduce nuisance and disturbance to the Adult Education classes and to Businesses, on our adjacent site.

In addition, during the site mobilisation and construction period, the installation of the mobile units and other bulky/noisy deliveries are to be undertaken outside of normal learning and business hours.

Objections/Concerns

CURTIS PROPERTIES - Serious concerns over just how many additional vehicle movements we will experience and just how much the parking of these vehicles will impact upon the enjoyment of our homes and the quality of our lives, given already having parking and vehicular movements associated with the new Health Centre, Smiths Restaurant, question practicalities of bus manoeuvring, no provision for students over 17 years who drive to the school, and overall concerned extra parking in The Gables will makes access and egress to The Gables dangerous and difficult for all vehicles, including refuse and fire.

ESSEX TECHNOLOGY & INOVATION CENTRE, THE GABLES, ONGAR (Letters from 6 SEPARATE BUSINESSES) – Located 30 metres from the development and home to 22 growing businesses with 144 employees, proposal will result in noise levels potentially detrimental to these businesses. The noise assessment does not refer to the Centre, only to residential properties and the ACL building. Noise from a school is likely to dissuade businesses from locating here and may prejudice the viability of the Centre. The intensification of use on the wider site, which includes the Adult Community Learning facility, the Leisure Centre and the Youth Centre, by permitting a temporary school will create unreasonable pressures on car parking, despite school providing for school parking in the Youth Centre overflow car park, which is some distance from the temporary buildings and drop-off and pick-up parking is likely to occur nearer the school building which will bring both the vehicles and children into potential conflict with business traffic.

WOODFORD COMPUTERS LTD - Main concern is entrance to the buildings would be through the rear car park. This car park is very busy and in constant use all day with many delivery vans going in and out. Children being dropped off and picked up will add to this and application be refused for this reason.

6 FYFIELD ROAD, ONGAR – Concerned over parking because of extra traffic, car park at Leisure Centre currently used by patients at the Health Centre, Adult Education and Leisure – do not want Fyfield Road itself to become a car park, leisure centre still be used for Ongar residents not just pupils of Academy, and field should still be available for Adult Education classes and sport facilities.

46 THE GABLES, ONGAR – Strongly object. Traffic report misleading and inaccurate, The Gables already has significant parking problems and the pavements on The Gables are frequently blocked by cars, cannot possibly cope with the traffic and footfall necessary to service 240 pupils for the next 2 years, written to Chairman of Ongar Academy Trust that supportive of academy and long-term site but have concerns over transitional arrangements the access route and impact upon the local residents and the surrounding countryside, the planning application for the academy cannot be properly considered in isolation of the planning application for Fyfield Business Park. The local roads cannot possibly absorb the traffic demands. Access through The Gables will cause chaos and, again, will alienate residents of The Gables, who already suffer at the hands of Smiths' Brasserie customers and from parking problems along its narrow roads because of roadside and pavement parking. In addition, access out of The Gables during the early morning rush hour is often difficult because of the flow of traffic from Fyfield. Any traffic problems on the A414, often caused by M11 access at J7 (Harlow) and by frequent temporary traffic lights along Ongar High Road, always cause a tailback along the Fyfield Road. Traffic calming is essential outside the proposed area planned for the academy and, for safety and residential considerations, the entrance to the school needs to be sited further north along Fyfield Road.

43 THE GABLES – Objection. Access in the Gables is difficult as it is with parked cars everywhere, refuse vehicles struggle to get in and out, proposed temporary buildings is an eyesore and harm quality of life and desirability of our properties, have less of issue with permanent building but could instead use ZINC building in High Street which has parking and less access issues, would not have bought our property if known this was going to happen.

9 FYFIELD ROAD, ONGAR - Fyfield Road is far busier now than it has ever been. Any increase in traffic levels, pollution and noise, however small is totally unwelcome.

Support

J BANKS (No stated address) - As a local parent, consider there to be a desperate need for a secondary school in Ongar. My children currently spend over 55 minutes (each way) on the school bus going to and from their secondary school and this is a totally unsustainable situation. Fantastic use of a terribly underused facility and there is ample space for the school and associated parking.

35 KETTLEBURY WAY, ONGAR - Need the school to educate our young people, provide community cohesion and reduce long school bus runs. Site is underused and this is an appropriate proposed use. Ample car parking, much of it at present underused, the proposal will have limited impact on the Green Belt.

14 BANSONS WAY, ONGAR; 9 POWELL DRIVE, GILWELL HILL, CHINGFORD; SOAP HOUSE BUNGALOW, BLACKMORE ROAD, BRENTWOOD; 22 BROADFIELD, HIGH ROAD, HIGH RODING; 6 THE THATCHERS; 27 THE FURLONGS INGATESTONE, HIGHFIELDS KENDAL AVE EPPING; 20 BISHOP ROAD CHELMSFORD; 63 ALDERWOOD DRIVE ABRIDGE; 39 HALLETT RD FLITCH GREEN DUNMOW; ROSEMEAD HIGH STREET ONGAR; MANNS COTTAGE; 2 THE PAVILIONS ONGAR; 1 RUSSELL CLOSE BRENTWOOD; 28 GREAT FOX MEADOW KELVEDON HATCH; QUEEN ANNE COTTAGE; EDGEFIELD LONDON ROAD STANFORD RIVERS; 35 GREAT STONY PARK ONGAR; 28 HOLLOWAY CRESCENT LEADEN RODING DUNMOW; 2 CANNONS COTTAGES ONGAR ROAD STONDON MASSEY; 3 OLD CROFT CLOSE GOOD EASTER CHELMSFORD; FLAT 1 BROOMFIELD COURT HATFIELD HEATH; 37 CLOVERLEY ROAD MARDEN ASH; 44 EPPING ROAD TOOT HILL; 12 ST

MARTINS CLOSE WHITE RODING; 11 WHITE MEAD BROOMFIELD CHELMSFORD; HILL COTTAGE STORTFORD ROAD LEADEN RODING; 12 CRIPSEY AVENUE SHELLEY; CHURCH VIEW TILEGATE ROAD HIGH LAVER; 58 ST. JOHN'S AVENUE BRENTWOOD; 172 HIGH STREET ONGAR; BURNSIDE STEADING GLENGILP ROAD ARDRISHAIG ARGYLL, LITTLE HERONS HERONS LANE FYFIELD; 30 MEADOW RISE BLACKMORE; 38 KETTLEBURY WAY ONGAR; 13 SHELLEY CLOSE ONGAR; 51 LOWER ANCHOR STREET CHELMSFORD; 8 FAIRFIELD AVENUE NORTH GRAYS; GREAT GARNETTS COTTAGE BISHOPS GREEN GREAT DUNMOW; 30 HOLLOWAY CLOSE LEADEN RODING; 7 KETTLEBURY WAY ONGAR; 94, PILKINGTONS CHURCH LANGLEY; 27 SHORTLANDS AVENUE; CANTERBURY LODGE ROMAN ROAD INGATESTONE; 12 LARCHWOOD CLOSE COLLIER ROW – (45 properties) -
- Great asset for the local community and benefit to local area, pressing need for school, get local children off the buses, site underused with such huge car park, very little encroachment onto the green belt as the site is surrounded by built structures and the main structures proposed fall behind the existing building lines, active next to school field and leisure centre, more space in smaller class sizes,

Issues and Considerations:

Green Belt:

The application site is located just within the Metropolitan Green Belt and contains a hard surfaced area that has formerly been used as tennis courts. There are floodlight columns around it so floodlighting can take place without the need for further planning permission.

The National Planning Policy Framework (the Framework) identifies that the erection of buildings within the Green Belt constitutes inappropriate development with a number of exceptions, which includes:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The definition of previously developed land is provided within Annex 2 of the Framework and reads:

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

Given the presence of the hardstanding and that it is within the curtilage of the leisure centre, the application site would constitute previously developed (brownfield) land and recycles the use of this redundant court. The above stated exception to inappropriate development allows for the redevelopment of brownfield land provided it “*would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development*”.

‘Impact on the openness of the Green Belt’ would cover many factors, including increased activity and the appearance of built development on the site. There are no existing buildings on the site and the proposed buildings are of portable appearance and therefore not suitable as a permanent

development. Whilst there is an argument that because it is surrounded by existing buildings on three sides, it could be deemed to be limited infilling, the form and appearance of the buildings and its use lead officers to conclude that the proposal would have a greater material impact on the openness of the Green Belt from that of existing conditions and is therefore inappropriate development, by definition harmful to the Green Belt. It is necessary therefore to consider whether there are very special circumstances for the development to outweigh this harm.

Very Special Circumstances – Education Need

The applicant has submitted an educational needs statement with the application. In summary the case made is that:

- There is no longer a secondary school in Ongar, the nearest secondary school being 7.4 miles away. There are no schools within 10 mile radius rated as Ofsted 1 “Outstanding”. Parents can only choose from schools rated 2 or 3.
- No school in walking or cycling distance. Currently, children have to take increasingly long bus journeys to and from school.
- The local population is expanding and Dept. for Education predicts the need for places will rise to severe by 2017.
- Parents and local employers have expressed their desire for a STEM (Science, Technology, Engineering and Maths) based curriculum focus. The Ongar Academy team has recruited a team with extensive experience working with leading engineering businesses and teaching in existing STEM schools.

In response, taking account of the National Planning Policy Framework (NPPF) and specifically in terms of “place-making” and creating sustainable settlements, officers conclude that there is no objection in Ongar having a fully comprehensive secondary school for the first time since 1989. It will provide education over 2 years for 11-13 boys and girls and serve a priority catchment area of 15,087 people, which has five local primary schools in Ongar and surrounding villages. The fact that pupils are bussed or driven to secondary schools in Epping, Harlow, Brentwood etc is also not sustainable in planning terms so the option of a school here is supported not only in transport sustainable terms, but in providing the needs of the community.

Whilst Essex County Council has confirmed that there are adequate school places available at present for all pupils in Ongar, this proposal will provide an element of local choice that is not currently available.

Paragraph 72 of the NPPF is particularly supportive and states:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.*

The application site is located in a residential area, in easy walking distance of a leisure centre, which has a public swimming pool and gym, a medical centre and local shops. The school will also serve a sizeable residential catchment area where many pupils will be able to walk or cycle to the

school. Drop-off and parking facilities already exist on the wider site area where there are sizeable car parks in two areas served by an existing vehicular access off Fyfield Road. Bus stops are close to the site.

One of the key principles of Planning, as laid out within the National Planning Policy Framework, is that decision-makers should “*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in location which are or can be made sustainable*”. Local Plan policies CP1, CP3, CP6, CP9 and ST1 also promote developments that utilise sustainable forms of transport and reduce the need to commute. The proposal is a sustainable form of development in both its suitable re-use of previously developed land and provision of an education facility for a local catchment area.

In conclusion on this matter, it is considered that the provision of a temporary secondary level school in this sustainable location does have the very special circumstances that outweigh any potential harm to the openness of the Green Belt.

Design

In the long term, modular and portable buildings are not acceptable as in time they do not meet principles of good design and sustainability nor do they provide the best environment for education with no school hall or other facilities normally associated with secondary education. In addition they can deteriorate externally and provide a non-conforming appearance at odds with the residential development at The Gables. It is therefore important that the permission if granted shall be conditioned to expire after 2 years so that the buildings can be removed from the site. However, whilst from some of the houses in The Gables it would be visible, the current buildings around it would limit wider views from Fyfield Road and even the car parks. From the east across the playing fields and beyond, the temporary buildings will be seen against the backdrop of existing buildings so will not appear isolated in appearance.

Highway safety and Parking

Access will be taken from Fyfield Road using the existing pedestrian and vehicular access points. Pedestrians will route through the car park of the Leisure Centre using footways and crossings available. The car park has good permeability and routes for pedestrians that minimise conflict with vehicles. Pupils and staff will enter the application site from the route between the Leisure Centre building and the Adult Community Learning/ Technology and Innovation Centre building. A new fence will prevent them walking through the car park used by Adult Community Learning/ Technology and Innovation Centre. Cyclists would use the vehicle access and route through the car park using the access road and car park aisles. A cycle rack for 20 spaces will be provided within the proposal site.

Vehicles will access and egress via the vehicle access on Fyfield Road. Staff of the School and parents seeking to make set down and pick up movements would drive through the car park of the Leisure Centre to enter/ exit the northern part of car park adjacent the Youth Centre, where there are 49 parking spaces. This area comprises a loop road; it is designed such that vehicles can drive in, park for set down and pick up, and drive around the remainder of the loop before exiting, thus the area is not expected to become congested. Staff and pupils who have been dropped-off or collected from this area would then walk through the Leisure Centre car park on foot to gain access to/ from the application site, as explained above. This is not a heavily used car park and the lease to the Academy Trust for the temporary school allows for the right to park up to 12 motor vehicles in the northern overflow car park in a designated area in year one, and up to 16 vehicles in year two. This is sufficient for staff parking. It is considered that this can be achieved without any undo impact on other users of the Leisure Centre and Adult Education, or on the Ongar Health Centre located on the opposite side of Fyfield Road, which is linked to this car park by a road crossing.

However, in order to overcome concerns of local residents regarding pupil pedestrian safety, the school will adopt the following arrangements:

- 1. The Academy will have three duty staff members supervising at the opening and closing of the school day, stationed at the following locations; (i) the zebra crossing on the Fyfield Road (ii) the zebra crossings on the Leisure Centre car park and (iii) the entrance to the school site itself.*
- 2. Road Safety training will be arranged for all students and will be relevant to the specific conditions of the site.*
- 3. These measures will be included within the Travel Plan.*

Deliveries and servicing e.g. refuse collection will occur from the Leisure Centre car park. There is expected to be opportunity to consolidate refuse collection with the Leisure Centre and other occupiers.

The Highway Authority has assessed the above proposal and is satisfied that it is not contrary to National/Local policy and current safety criteria. The applicant submitted a robust Transport Assessment of the proposal (including a swept path analysis of coach turning in the northern overflow car park) and the Highway Authority is satisfied with the conclusions. The only real impact will be a minimal effect on the Four Wantz roundabout to a couple of the arms that are already, or will be, operating over capacity. The Highway Authority has concluded that; as the impact on the roundabout by the proposal is minimal, and a robust Travel Plan for the school (a draft Travel Plan was submitted) could help reduce more vehicle trips, the proposal will not be detrimental to highway safety, efficiency or capacity. Further to this the proposed parking arrangements are acceptable.

Amenity

As stated, there are residential properties in close proximity to the site. No. 44 The Gables flanks onto the site and adjoins its boundary. Clearly compared with the current little used tennis courts, the new temporary development will result in greater activity and noise. The applicant has submitted a Noise Assessment report which concludes that the increase in noise levels would be up to 2 dB(A) at the nearest residential window of no.44, which is below the 3dB(A) commonly accepted as the minimum perceptible change under normal conditions. Based on this, in combination with the temporary nature of the proposals and the boundary fence and vegetation that exists on the boundary between the two sites which provides some attenuation, it is not considered the level of noise is a justification for refusal. The playground area will be away from no.44's rear garden, and be adjacent to their detached garage in the front garden and access road. A condition preventing ball-games in the playground, given the solid finish of the lower part of the fence, would safeguard against the noise of a ball hitting against it and disturbing neighbours at play-time. No windows of the classrooms or associated other rooms will face this neighbour's property and the two storey section will be end on to the flank wall of this two-storey house. The single storey building will be end on to the side of their rear garden, but the existing fence and vegetation will limit its visual impact to any acceptable degree.

However, during the course of the planning application, it was considered that the access gates to the school was too close to this house and pupils going into the playground would enter alongside the boundary with no.44. The plans have been amended so that the access, cycle-rack and access to the play area is next to the leisure centre building and furthermore, no pupil movements will take place alongside no.44. A new 2.5m solid timber fence at the end of the raised decking area would furthermore prevent overlooking into this neighbour's small rear garden. The development would not therefore cause undue noise and disturbance to this or other neighbours in The Gables to an unacceptable degree.

Some of the business users of the Essex Technology & Innovation Centre who occupy the two storey building and car park west of the site object to increased noise levels. The Noise Assessment report does not assess these users, but the proposed buildings closest to them are not classrooms and the playground is on the other side, away from them. Only when pupils leave and arrive could there be some increased level of activity, but not to the extent that it will be so detrimental to existing or future businesses. The school would have to ensure that no associated parking takes place in their car park.

Other Matters

Given that the proposals are temporary, only the minimum basic provision is provided in accordance with the Department for Education standards for a free school of this size. Provision of kitchens, dining rooms and assembly halls are generally not provided within temporary free school accommodation due to the significant amount of space required for these facilities. The school will temporarily accommodate this by providing cold lunches. In regards to assemblies, due to the limited amount of space it is generally not possible for the whole school to partake in an assembly, the school will therefore split groups into smaller sizes for assemblies. Due to the Ongar Academy teaching a STEM curriculum, an additional science area has initially been provided. This is generally over and above the traditional temporary classroom requirements.

There are protected trees to the north-east of the Leisure Centre building, outside of the application site, and the Council's Trees and Landscaping Officer had initial concerns as to how the modular buildings would be brought on site and constructed. Additional information in the form of a Management Plan has been submitted which shows the extent of the development area including the area of the field that will be used for vehicles / cranes / storage / site huts etc, which will be fenced off to prevent unnecessary impact on a larger area of the playing fields than necessary. The delivery route of the construction traffic and materials will be around the northern end of the leisure centre building and then around the rear from the playing fields into the site. In this way, there will be no conflict with existing car parks, businesses or residential properties.

Policy CF7 of the Local Plan is specific to the overall site and is a policy set out that pre-dated the building of the houses in The Gables as part of planning permission EPF/0001/02. Whilst not specific to the determination of this particular application, it does require the continuation of the community uses (adult education, leisure centre and youth facilities) which would not be affected by the proposed development.

Conclusion

For a temporary period, as a short term solution to the lack of a local secondary facility, the application to provide an academy school on the site of an existing hardstanding area in the Green Belt is considered acceptable. Noise, parking and traffic issues have been assessed and conditions recommended to limit the impact of the development on its surroundings. The argument of need for the temporary school is accepted by officers in this sustainable location. However, should planning permission be granted, it will be a temporary permission because the buildings of this nature and appearance are not suitable for a permanent permission. Also, it does not automatically accept a permanent larger school building will be granted on other Green Belt land in the local vicinity, which would have to be the subject of a separate planning application, consultation and assessment.

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:

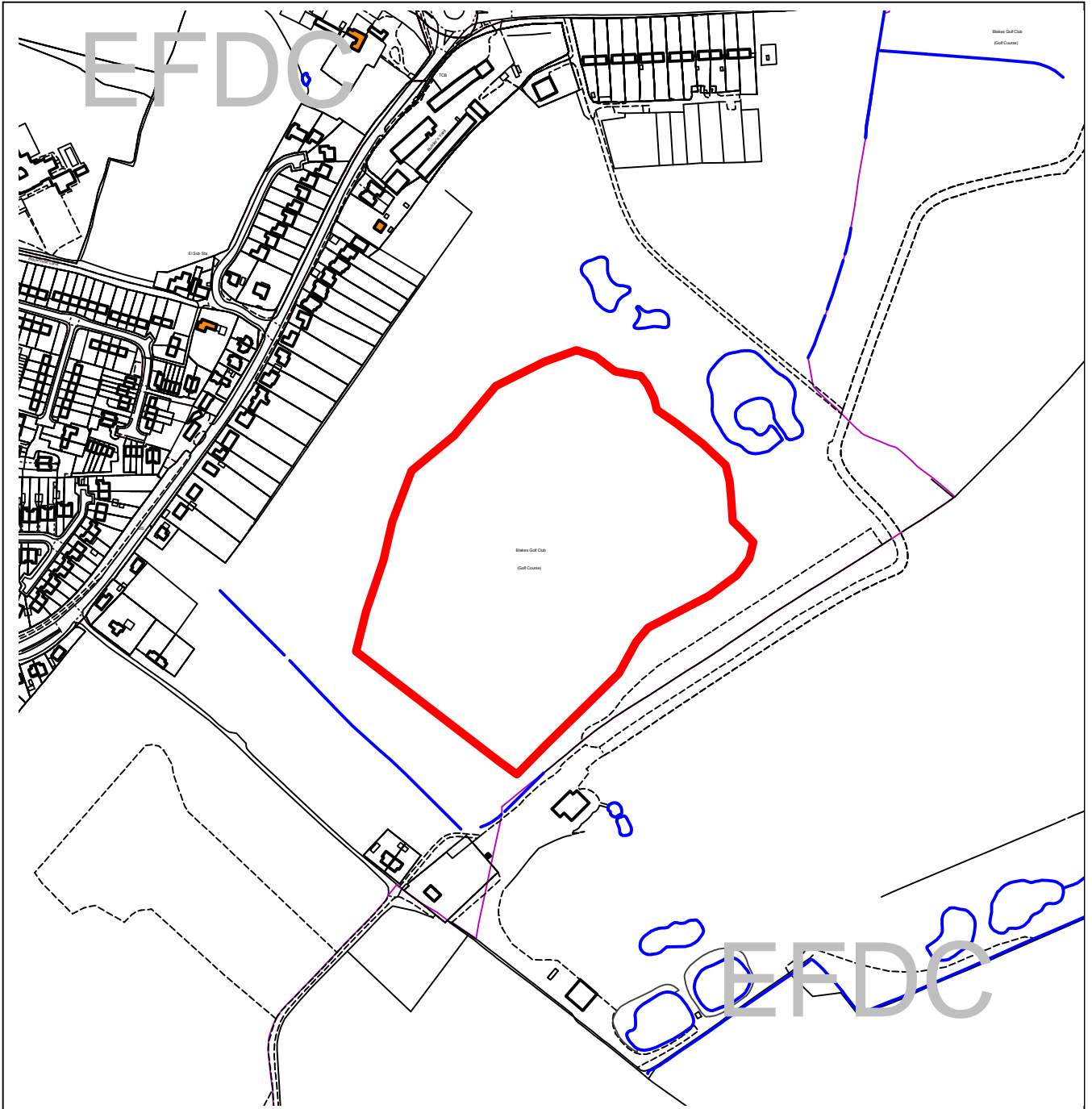
***Planning Application Case Officer: Nigel Richardson
Direct Line Telephone Number: 01992 564110***

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



Epping Forest District Council

AGENDA ITEM NUMBER 2



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/2880/14
Site Name:	Blakes Golf Club, Epping Road North Weald, CM16 6RZ
Scale of Plot:	1/5000

Report Item No: 2

APPLICATION No:	EPF/2880/14
SITE ADDRESS:	Blakes Golf Club Epping Road North Weald Epping Essex CM16 6RZ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Blakes Leisure Ltd
DESCRIPTION OF PROPOSAL:	Application for the importation of topsoil and compost to improve the land quality of the existing driving range and for the use of the land as a driving range and for the purposes of foot golf.
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=572011

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: WEAL.607B, 0621 03, 0621 02
- 3 Not more than a total of 591 lorry loads of material shall be brought into the site in connection with the development hereby approved, of which 213 loads shall be compost from the Ashlyns Farm Site opposite the application site as specified in the supporting information.
- 4 All lorries to and from the site shall be routed from the A414 only and shall not travel through North Weald or Ongar. All lorries exiting the site shall be required to turn left onto the A414.
- 5 All works on site shall be completed within a 6 week period. The proposed lorry movements shall take place on a maximum of 20 days (cumulatively) within that six week period. Prior to the commencement of development a timetable of works specifying the six week period in which all works will be completed and the 20 dates within that period on which lorry movements will take place, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the agreed timetable.
- 6 No external lighting shall be installed in connection with the development hereby approved unless agreed in writing by the Local Planning Authority prior to its installation. Full details of any external lighting shall be submitted to the Local

Planning Authority for approval and shall thereafter be carried out in accordance with the approved details.

- 7 The amount of material brought in for the purposes of this development shall not exceed 8000 cubic metres in volume, all of which shall be used for the development hereby approved.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

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))

ADDITIONAL INFORMATION:

The application was deferred from the Area Plans Sub Committee East meeting dated 18th March 2015 for further information to be obtained.

At the previous meeting Members requested the following information:

1. Exact vehicle movements for the proposed works.
2. An explanation on how the proposed engineering clay is going to be used for drainage purposes.
3. Better/clearer plans showing the existing and proposed land levels.

The application was then presented to the Area Plans Sub Committee East meeting dated 15th April 2015, however the A1 plan of the proposed land levels was not submitted by the applicant prior to this meeting. As such the application was deferred again. The detailed plan and cross section drawing has now been received.

With regards to the above request the applicant has provided the following response:

1. Vehicle movements:

“The top soil is coming from Harlow and will travel via the A414 from the Harlow roundabout, Clay will come via the M11 and along the A 414 and compost from across the road. Maps and routing can be provided if required”.

“Total loads of top soil will be 209 as I have taken the 14 off all ready on site. Total loads of compost 213 from across the road. Total loads of clay 169”.

Therefore there would be **213** lorry movements from opposite the site (compost from Ashlyns Farm site), which would not cause any significant impact on traffic or the amenities of the surrounding area, and **378** from further afield. This totals **591 lorry movements** overall.

2. Proposed new drainage:

“The clay will be used to line the tees and greens, we will cut out before we lay the clay as to not raise the level of the land and this will allow us to cut the correct drainage in them to which will connect directly into the current approved course drainage system”.

It is therefore understood that the proposed engineering clay will be laid under the proposed tees and greens with drainage ‘channels’ cut into these to create impermeable areas with specifically created drainage channels to direct the runoff to the existing course drainage system. This would prevent the tees and greens from becoming saturated with water and would ensure that these remain relatively dry playing areas.

3. Proposal land levels:

An A1 copy of the land level plan previously submitted in A4, and subsequently unreadable, has now been provided. This clearly shows the existing and proposed land levels and allows for better understanding of the plan to ensure that the existing and proposed site levels are adhered to.

Other comments:

Within the applicants response to the above questions they have also stated the following:

“Blakes is a pay and play course open to the public unlike many course, we offer a good venue for golf, food and functions for the local community and surrounding areas to which many use all year around and we are looking to increase this use and facility we offer with the fastest growing sport by just improving the soils to which it is being played on.

I would also like to make a point that we employ over 40 part and full time staff to which we want to maintain and look to increase all from the local areas”.

Concern was raised at the previous Committee meeting that this application has been submitted as a result of Enforcement Investigations. Whilst there have been some recent investigations at Blakes Golf Course regarding the importation of material it was concluded that the material that had been bought on to site did not constitute development since it either related to the previous approvals or was for the continued running of the golf course (i.e. the importation of compost). Similarly, whilst there are currently 14 lorry loads of compost already on site that would be used for the proposed development, in and of themselves this level of imported compost would not constitute development requiring planning consent since it is for the continued maintenance of the established golf course.

The level of importation proposed in this application and the intended additional, albeit ancillary, use of the site means that planning consent is required for this application, however there are currently **no outstanding Enforcement Investigations** on the site and Planning Officers are satisfied that all works that have taken place on site up until now are lawful and acceptable.

MAIN REPORT:

Description of Proposal:

Consent is being sought for the importation of topsoil and compost to improve the land quality for the driving range area for a maintainable grass coverage. The intention is to thereafter use the driving range as a multi-purpose area consisting of driving range, a new 'footgolf' course, and a par 3 course. The proposed development would involve the importation of 5800m³ of top soil and compost and 2200m³ of engineering clay.

Description of Site:

The application site is an established golf course located to the northeast of North Weald accessed from the A414 and is within the Metropolitan Green Belt. This application relates to the existing driving range located to the north of the club house within the western portion of the golf course.

Relevant History:

EPF/0863/96 - (1) Change of use of 45 hectares of agricultural land to a pay and play golf course and for the change of use of 5.7ha of agricultural land to a pocket park; (2) Outline application for the construction of residential development on 3.6 hectares of agricultural land and for the construction of a clubhouse associated with the golf course – approved/conditions 28/07/98
EPF/1310/05 - Provision of surfaced maintenance tracks as an integral part of the existing golf course – approved/conditions 08/03/06
EPF/0095/07 - Construction of 3 irrigation ponds within existing golf course 'rough' – refused 28/02/07
EPF/1050/07 - Construction of an irrigation pond (below existing ground level) within existing golf course 'rough' (revised application) – approved/conditions 05/07/07
EPF/2570/13 - Importation of clay in order to line existing irrigation ponds – approved/conditions 14/02/14
CLD/EPF/2340/14 - Certificate of Lawful Development for the importation of topsoil and compost to improve the land quality for the driving range area for a maintainable grass coverage – Not lawful 28/10/14

Policies Applied:

CP1 – Achieving sustainable development objectives
CP5 – Sustainable building
GB2A – Development in the Green Belt
RP5A – Adverse environmental impacts
RST1 – Recreational, sporting and tourist facilities
U3A – Catchment effects
ST4 – Road safety

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:

30 neighbouring properties were consulted and a Site Notice was displayed on 17th January 2015

NORTH WEALD PARISH COUNCIL – Objects on the following grounds:

- The vehicle movements associated with the importation of topsoil would be detrimental to local residents.
- The application has no supporting documentation confirming that an assessment has been made to assess the impact this importation will/may have in terms of drainage, and any negative impact on the nearby Flood Alleviation Scheme.
- Application does not indicate that the site could be contaminated, and as such the necessary contamination assessments have not been considered.

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL – Object. Councillors expressed their concern at the history surrounding this site, and the fact that resources are not available to monitor the type of material being imported. The Parish Council object to this application on the following grounds:

- Inadequate information has been submitted to show that there will be no detrimental impact on any surrounding areas of water/water courses which could lead to land drainage issues and/or contamination.
- The application did not indicate that the site could be contaminated, and as such the necessary assessments have not been completed.

If EFDC are minded to grant permission for this application, this Council hereby requests that a strict regime of scrutiny in terms of the material being imported is put in place as a condition of the permission, and that this is monitored by EFDC.

248 HIGH ROAD – Object to the importation of more soil onto the course however if allows then request that sufficient supervision takes place to ensure that only topsoil and compost are imported.

Main Issues and Considerations:

Blakes Golf Course has a fairly complex history with regards to importation of material, however the existing course is now completed and well established. The driving range subject to this application is already in existence, however it is stated by the applicant that *“when the golf course was originally constructed the driving range was finished with minimal topsoil which in turn has made the land unmanageable and unusable for its existing use”*. It is clear when viewed on site that the driving range is being utilised however the area is not as well managed and the grass not as closely cut as other parts of the golf course.

The applicant wishes to now raise the quality of this land to that of the remainder of the golf course and to utilise this site as a multi-purpose area for the continued use as a driving range as well as for a ‘footgolf’ course and a par 3 course. In order to improve the quality of the land it is stated that there would need to be 5800m³ of topsoil and compost imported and laid to achieve this. Furthermore approximately 2200m³ of engineering clay would be required to provide drainage for the greens.

One of the key aims for the proposed development is to enable the established golf course to provide a ‘footgolf’ course. Footgolf appears to be a new form of golf that is being provided on several courses throughout the country and is essentially similar to golf (in that the aim is to place the ball in the hole using the lowest amount of shots possible) however uses a size 5 football and your feet (rather than a club). An article in The Telegraph in October 2014 highlights that *“established in 2009 and already booming in South America and the US, footgolf has begun to gain traction in Britain over the past two years”*. Given the simplicity of the game and, since it doesn’t take as long as or require costly equipment as regular golf, this new sport is *“rapidly growing in size and, in the process, saving many of the clubs which were previously struggling to keep their heads above water”*. It also appears that footgolf is far more accessible to younger clientele and is more ‘family friendly’

Since the applicant estimates that the main use of the site for footgolf would be weekends, holiday periods and after school it is proposed to use the site as a par 3 golf course mid-week during school hours since the larger holes would be better for beginners. Any time outside of its use for footgolf or as a par 3 golf course it would remain in use as a driving range as existing.

The additional uses proposed would assist in the long term economic viability of the existing golf club and would provide additional recreational facilities for the general public.

Green Belt:

The proposed additional use of this parcel of land as a multi-functional area would be ancillary to the established lawful use of the golf course and would provide additional open sport/recreation, which is permitted within the Metropolitan Green Belt. Therefore the main consideration with regards to the impact is as a result of the proposed importation.

It is accepted that compost and other materials can be imported onto Golf Courses as 'repair and maintenance' and as such a certain level of importation would be expected on an established golf course without requiring planning consent, it has been considered (under the certificate of lawful development application EPF/2340/14) that the level of importation proposed would constitute an operational development requiring planning consent.

The proposed importation would consist of approximately 5,800m³ of top soil and compost to be imported along with some 2200m³ of engineering clay. This would result in an average 100mm additional layer across the entire 14 acre site. This is estimated to take approximately 4 weeks to topsoil, compost, prepare and seed. Whilst the area of land would be raised by between 50-100mm the site would not require re-levelling or the diversion of drain runs. The existing, relatively shallow, contours of the land would predominantly remain and the main difference in areas (i.e. to indicate the greens, etc.) would be achieved through the cutting of the grass. This is primarily since both footgolf and the driving range would not require heavily contoured land and the 3 par golf course would be used by beginners.

Given the relatively minor increase in land levels and since the resultant multi-purpose area would be similar in appearance to the existing and would continue to retain the openness of this site it is not considered that the proposed engineering operation would be harmful to the openness or character of the Green Belt. Furthermore, since the works are for the purposes of outdoor sport and recreation the proposal would not constitute inappropriate development that is, by definition, harmful to the Green Belt. Therefore the proposal would comply with the relevant Green Belt guidance and policies as laid out within the National Planning Policy Framework and the Local Plan.

Highways:

The proposed development would require the importation of a total of 8000m³ of materials, which is broken down to the following:

- 5800m³ of topsoil and compost
- 2200m³ of engineering clay

The applicant states that the proposed development would take no longer than 4 weeks to import, lay and seed the materials. Given the relatively low level of vehicle movements and very short time duration for completion it is not considered that the level of vehicle movements would have a detrimental effect on highway safety, efficiency or capacity at this location. As such there has been no objection from Essex County Council Highways.

On the previous application regarding the importation of engineering clay in order to line the three existing ponds on site (EPF/2570/13) several restrictive conditions were imposed in order to suitably control the level of importation. This included conditions that required a timetable of works and the routing of lorries to be agreed and complied with, one controlling the number of lorry movements to the site, and one limited the amount of material imported.

The applicant followed the previous conditions and provided the Council with routing information and a timetable of works prior to commencement of the development. When various situations arose that altered the submitted timetable (such as weather conditions and the sickness of workers) the Council was informed of these changes and revised timetables were provided. As such it is considered that similar conditions regarding routing and a timetable of works could be imposed for this proposal.

Unlike the previous proposal this application includes a plan of the existing and proposed land levels, which assists in controlling the development and ensuring that the works comply with that agreed. It is considered that these plans would override the need to put on conditions regarding the number of lorries movements, although it may still be appropriate for the sake of clarity to condition the total amount of materials that can be imported by way of this consent.

Flood risk:

Since the proposed works would be within 8m of an open or piped watercourse Land Drainage consent is required, which is a separate matter to planning consent. Subject to this being agreed Land Drainage Officers have no objection to the proposed works as this would not result in any detrimental impact on ground water flooding.

Amenities:

Since the proposed works would only raise the level of the land by a maximum of 100mm there would be no visual impact as a result of the development. Whilst the multi-use of this area of land would increase the level of activity in this particular location the application site is a sufficient distance from surrounding residential properties and would be experienced within the wider context of the golf course, and therefore it would not have any detrimental impact as a result of noise nuisance or any other disturbance. A condition requiring details of external lighting (if required) can be imposed to ensure that there is no resulting light pollution to surrounding residents.

Given the level of importation and the relatively short duration for completion of the works it is not considered that the proposed development would result in any detrimental impact to surrounding residents. The access to the Golf Course is from the A414, which carries heavy vehicle traffic, including large lorries. As such the additional lorry loads resulting from these works would not result in an excessive increase in vehicle traffic that would have a detrimental effect on local residents.

A timetable of works can be agreed by way of a condition to ensure that the development is undertaken within a short time period as proposed and also to suitably control the level of importation relating to the proposal.

Land contamination:

Large quantities of non-hazardous waste were imported to raise site levels when the golf course was originally constructed. The previous Waste Exemption Certificate permitted the importation of wastes containing ash, clinker, slag, demolition waste and other sources of contamination, which may have resulted in widespread contamination of the site. It is understood that the applicant is

proposing to use a registered waste carrier/waste transfer station and that the imported topsoil and compost would be mixed with the top 200mm of the underlying waste.

Since the site would be used by families, schools, football clubs and children's parties these are sensitive receptors particularly vulnerable to the presence of contamination. As it is proposed to mix the imported soils with the underlying waste soils, the requirement that only the imported soils are verified would not exclude risks from the existing waste soils. As such a full contaminated land investigation would be required, which can be dealt with by conditions.

Conclusion:

The proposed importation to introduce a 9-hole golf and footgolf course would not be unduly detrimental to the surrounding residents and would have little visual impact within the landscape. Whilst the importation of material would result in a number of lorry movements to the site this can be suitably controlled by condition and monitored by Planning Enforcement, and the use of the site as a multi-use facility would have wider economic and recreational benefits. As such, the development complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and therefore the application is recommended for approval.

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

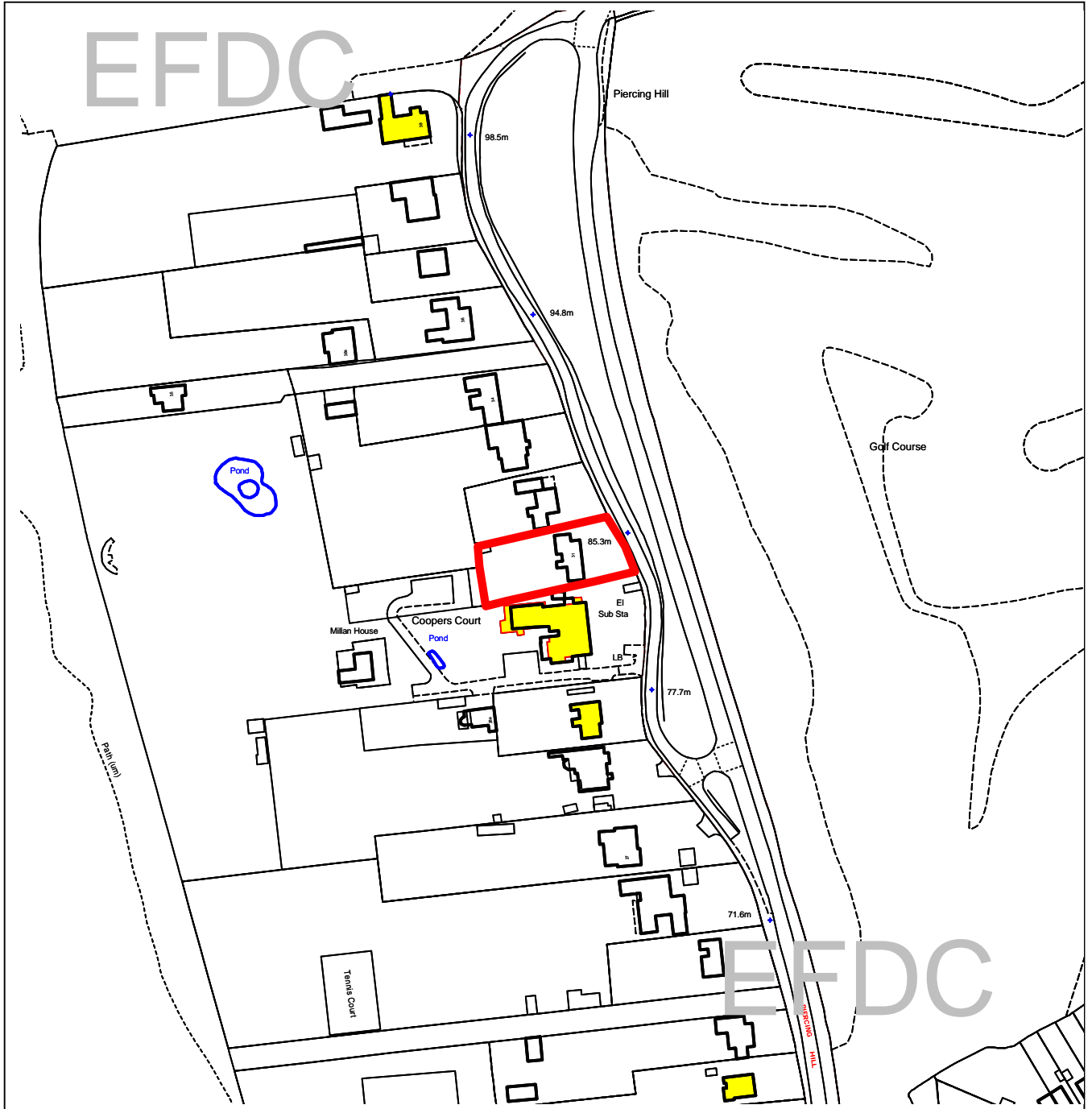
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

AGENDA ITEM NUMBER 3



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0459/15
Site Name:	31 Piercing Hill, Theydon Bois Epping, CM16 7JW
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0459/15
SITE ADDRESS:	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Barry & Barbara Houghton
DESCRIPTION OF PROPOSAL:	Raising of height of roof and provision of three dormer windows at front and three to the rear, erection of part one, part two and part three storey rear extensions and conversion of garage into a gym. (Revision of planning permission EPF/2150/11).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574038

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevation facing south towards the neighbouring Coopers Court, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

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

Description of Site:

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

Description of Proposal:

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

Relevant History:

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

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

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

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

Policies Applied:

DBE9 – Loss of amenity
DBE10 – Residential extensions.
GB2A – Development in the Green Belt

National Planning Policy Framework

Summary of Representations:

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

NEIGHBOURS - 17 consulted and 4 replies received:-

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

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

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

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

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

Issues and Considerations:

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

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

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

Comments on representations received:-

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

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

Conclusions:

For the reasons set out above it is recommended that planning permission be granted subject to conditions.

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

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

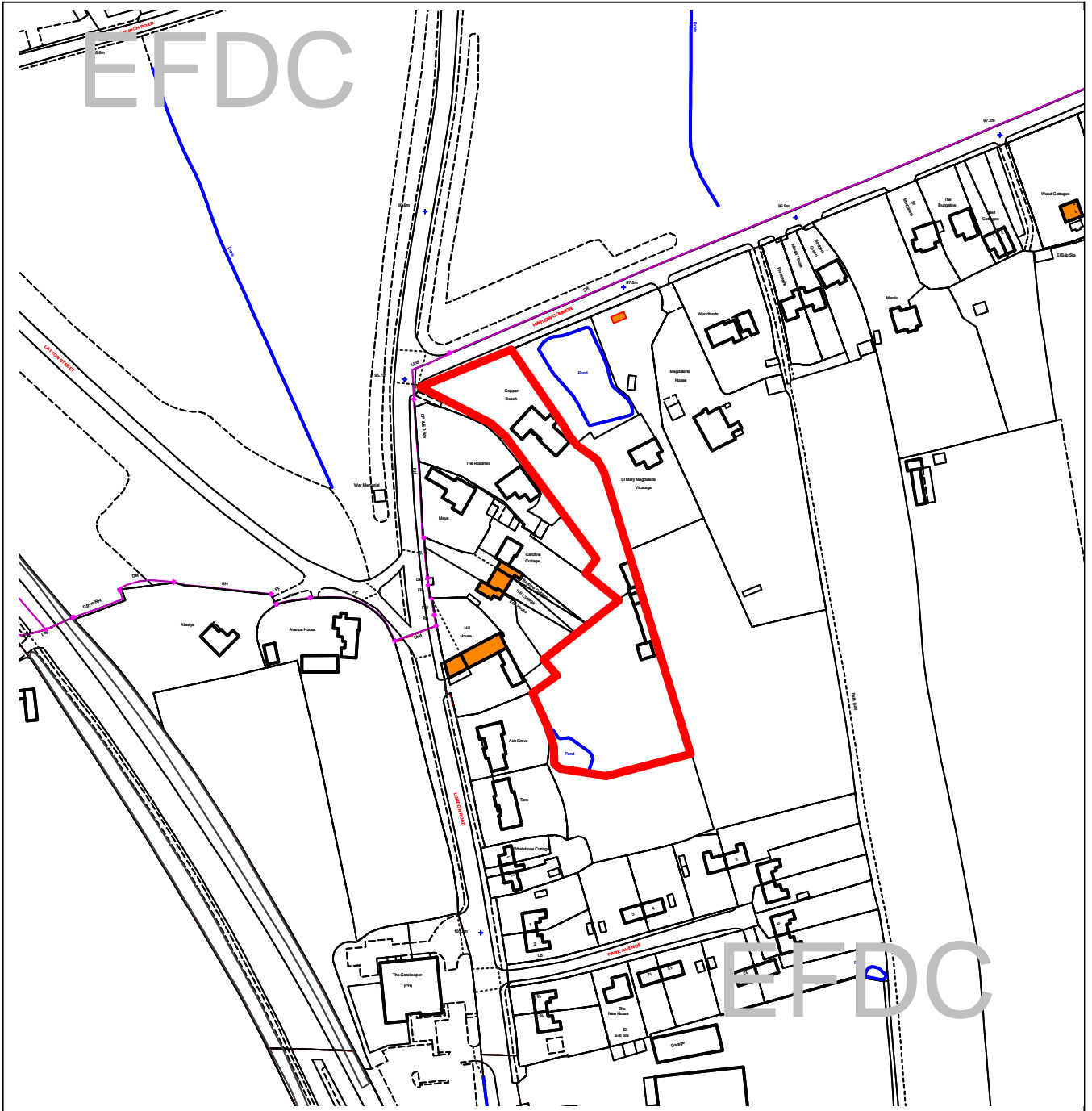
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 4



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0535/15
Site Name:	Copper Beech, Harlow Common North Weald, CM17 9ND
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0535/15
SITE ADDRESS:	Copper Beech Harlow Common North Weald Essex CM17 9ND
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Steven Smithson
DESCRIPTION OF PROPOSAL:	Proposed replacement dwelling and garage block in lieu of existing dwelling and outbuildings. Re-application of EPF/2903/14.
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=574219

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 C.B.1a, 2a, 3a, 4a, 5, 6, 7, 8, 9a, 10a, 11, 12a, 14.
- 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 8 The proposed window openings in the flank elevations above ground floor level shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 9 The approved garage shall only be used for the garaging of vehicles and ancillary storage and for no other purpose unless agreed in writing by the Local Planning Authority.
- 10 Prior to the commencement of development the existing dwelling, outbuildings and any buildings subsequently constructed on site shall be demolished and completely removed from site.
- 11 Prior to the commencement of development a Bat and Owl Survey shall be submitted to the Local Planning Authority for consideration in order to ascertain the presence or absence of such species in the rear outbuildings. If necessary a scheme of mitigation shall also be submitted pursuant to this condition and the first submitted survey.
- 12 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.
- 13 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.
- 14 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 15 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 16 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]
- 17 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]
- 18 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]

- 19 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.
- 20 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.
- 21 All outbuildings shown to be demolished on drawing number C.B.8 shall be completely demolished and removed from site prior to the erection of the new house and garage.

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

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

Description of Site:

Copper Beech is located within a ribbon of residential properties on the edge of Harlow. The site is irregular shaped, narrower to the front and containing a detached bungalow. The site “opens up” towards the rear and has a collection of single storey outbuildings and a greenhouse in an area which is broadly square shaped and which appears to provide an extended residential curtilage. There are two access points into the site, one on the junction with London Road which provides access to the area to the rear and the other along Harlow Common which provides access to the house. The area contains a mix of dwelling styles, including some Listed Buildings, and the entire site is within the Metropolitan Green Belt.

Description of Proposal:

This is a revised application following the refusal of consent for a scheme earlier in the year (EPF/2903/14). This scheme was for the following development;

“Demolish the existing dwelling and outbuildings on site and replace them with a new house and detached garage. The dwelling would have accommodation over three floors and a part submerged basement area. The building would have a footprint of approximately 12.5m x 11.0m with a ridge level of approximately 9.5m. The house would have a conventional two storey front with a gabled roof including a front gable feature and two dormer windows. The rear extension

would have two levels of accommodation (first and second floor) served by dormer windows. The area to the front of the dwelling would be used to form a terrace. The garage would have a brick and weatherboard finish with a tiled roof.

A garage block/games room/store would be constructed behind the house. This would be a two storey structure with a deeply gabled roof to the front containing two dormer windows. The building would have a footprint measuring 10.5m x 8.0m. The building would have a ridge level measuring 8.0m from ground level. The garage would have a brick and weatherboard finish with a tiled roof”.

The application was refused for the following reasons;

1. *“The proposed garage block, by reason of its height, bulk and scale would have an excessive impact on the open character of the Metropolitan Green Belt at this location for which no special justification has been put forward or appears to exist. The proposal is therefore contrary to Policy GB2A of the adopted Local Plan and national guidance in the NPPF”.*
2. *“The submitted information with regards to trees is misleading and refers to a flat development on site. It is unclear what the impact on trees on site would be and in light of the submitted data it is considered that inadequate information has been provided with regards to the retention of trees and this is contrary to national guidance in the NPPF and local plan policy LL10”.*

This application differs in that the garage has been reduced in height to have a ridge level of 5.3m and would be single storey. The building would have a footprint measuring 13.5m x 7.0m. The same dwelling has been submitted for consideration.

Relevant History:

EPF/2903/14 - Proposed replacement dwelling and garage block in lieu of existing dwelling and outbuildings. Refuse Permission – 04/02/15.

EPF/0960/15 – Proposed Garage. Current undecided application.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

GB15A – Replacement Dwellings

LL10 – Provision for Landscape retention

LL11 – Landscaping Schemes

HC12 – Setting of Listed Buildings

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

Summary of Representations:

Date of site visit: 19.1.15

Site Notice Displayed and 11 neighbours consulted: 7 Replies Received.

CAROLINE COTTAGE: Objection. Overdevelopment in the Green Belt and would be out of character with the existing pattern of development. Concern about impact from the garage resulting in a loss of amenity and infringement of human rights. Loss of amenity through the overshadowing of our garden area from the proposed house and garage. Concern about issues relating to surface water drainage. Concern about impact on the setting of the nearby Grade II listed buildings. The garage is now bigger than the original application and much larger than the greenhouse it would replace.

MAYA: Objection. We are not opposed to a replacement dwelling along the same lines and height as the current dwelling; however, the first floor plan shows an additional window on the west side that is not shown on the side elevation. There are therefore two full size windows at first floor height and a third small window at second floor height. We have no windows above ground floor overlooking our property and never have done since we moved in, and we have been careful to retain the private nature of our property. The proposed windows would create an unacceptable loss of privacy.

HILL COTTAGE: Objection. Overdevelopment in the Green Belt and would be out of character with the existing pattern of development. Concern about impact from the garage resulting in a loss of amenity and it is much larger than the existing greenhouse it would replace. Concern about impact on nearby listed buildings.

THE ROSARIES: Objection. Whilst it is not denied that the demolition of the various outbuildings on the site may equate to a total reduction in volume of building, the fact that the proposed dwelling is considerably higher than that of the existing bungalow surely impacts on the visual appearance of the Green Belt. In exactly the same way that objections were made by our neighbours regarding the garage overlooking gardens previously not overlooked, we would repeat comments made by us before in relation to the fact that we did not want windows on the side elevation facing our property. We are not overlooked in any way by the existing bungalow and do not wish to suffer a loss of privacy. Furthermore we do not believe that a simple condition prohibiting clear glass in that elevation is sufficient. When we ourselves rebuilt our house at Roseries, we were, quite understandably restricted largely by the form of the previous building in size, height and window position. We do not see why this current application should not be judged similarly.

We would also reiterate our comments regarding the positioning of the new building. Not only would the forward placing of the building mean that our front garden would also be overlooked by the proposed windows in the side elevation but unless the building is placed on the same front building line as ours, the greater height of the new dwelling is bound to negatively impact on light and visual appearance of the locality from our front windows. We would finally repeat comments made previously regarding parking and the fact that 7 parking spaces seems excessive and questions the necessity for a separate garage to the rear.

PARISH COUNCIL: Objection. There is an impact to the properties and the residents in the properties currently living in the development and also at the rear of the development. The proposal represents an Overdevelopment of the site
It is out of keeping with the street scene. It is detrimental to the visual aspect of the area. Concern at the height of the proposal. Concern at the lack of car parking spaces

Issues and Considerations:

The main issues to consider relate to the site's location in the Green Belt, design and amenity.

Green Belt

Both local and national policy support the replacement of dwellings in the Green Belt in cases where the new house is not “materially larger” than the dwelling it replaces (Para. 89 NPPF). The existing house on site is a fairly low set structure with a gabled roof and a rear return of a similar style. Towards the rear of the site is a collection of low set outbuildings which appear to have been used for a range of ancillary functions including storage down the years. It appears the square area behind the house has been used for various uses also, including possibly horticulture.

The proposed building includes a basement area which would be partly visible and would as such have volume which would be taken into account in this replacement. The existing building on site has a volume of circa 1,100 cu m. the range of outbuildings have a volume of approximately 500 cu m resulting in a total built form volume of circa 1,600 cu m. The outbuildings are in a decrepit state and may have been outside the original curtilage of this house but in this instance it is considered that the volume of the buildings can be used towards a replacement. The entire site seems to have been used as one and there are visual benefits to removing these structures. The site is largely surrounded by dwellings and if it was used as one planning unit there would be no issue.

The replacement dwelling and garage are both large structures. The dwelling has a proposed volume of approximately 1,000 cu m and the garage circa 420 cu m. Even with these figures, which are greater than those submitted by the applicant, there is still a reduction in built form on site. The existing house, whilst low set, has a reasonable volume to the rear. The house would have a more significant presence in terms of its height and bulk, however in an enclave of dwellings, which vary in size and scale, this is considered acceptable. The neighbouring dwelling at The Rosaries is quite a prominent structure and this increased height is justifiable.

Garage Block

The previous application was refused because of concern with a two storey garage block located towards the rear of the site. This scheme has seen the reduction in the height of the garage but an increase in its floor area. The design is still similar in size and design to a small dwelling and will be located some distance from the new house. As stated the rear section of land appears to have had various uses over the years but extended residential garden, particularly in a built up area, is probably the best use for this piece of land. This is a large garage and whilst the majority of new garages can be built under permitted development consent is required in this case. The garage is considered on balance acceptable. There is always a concern in Green Belt areas that large garages may later be converted to dwellings, particularly when the structure has the appearance of a house and when there is a general restriction for new houses in the Green Belt. However conditions can be put in place ensuring the building is used as a garage/ancillary store and removing permitted development rights for further outbuildings and it would be unreasonable for local Planning Authorities to refuse consent for something which does not form part of the application. There is an argument that the location of the garage unnecessarily spreads built form but as it will replace the range of outbuildings this is difficult to substantiate. An argument could be made that the need for further outbuildings serving two dwellings would compromise the openness of the Green Belt should in the future an application be made for another dwelling. However, on balance, the garage is acceptable.

Design

Concern has been expressed by objectors that the proposed buildings on site will be out of character and harmful to the setting of nearby listed buildings. The housing and garage would really be read in a different context to the listed buildings and would not impact on their special setting. In terms of the streetscene, the proposed house will be more prominent, but there are large dwellings in the vicinity. With regards to design, it important that Local Authorities do not

impose particular aesthetic values but good design should always prevail. In this case the proposed buildings are reasonably well proportioned and whilst the double level of dormers at the rear is not considered conventional it raises no serious concerns.

Amenity

A number of objections have been received relating to loss of privacy. The proposed dwelling sits on the same position of the existing house and retains a reasonable gap to the boundary. It is not considered there would be any serious impact on amenity and side facing windows at above ground level could be reasonably conditioned as obscure glazed. The house would have an increased height but would not seriously overshadow or result in a loss of outlook from The Rosaries.

The proposed garage would result in some minor disturbance with regards to comings and goings but in a residential area this is not uncommon.

Trees and Landscaping

Additional information and plans received on 7th May 2015 have demonstrated this development is feasible without harming the adjacent trees on site. It is noted that the basement has been reduced by 1m so as to reduce the impact on adjacent trees, and that the only tree to be removed is a dying plum tree (T5 of Moore and Partners tree report). Conditions relating to tree protection, landscaping and the removal of excavated material are however considered necessary.

Land Drainage

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. A condition requiring details of surface water drainage is therefore necessary. The proposed development also includes a large basement and the following advisory on any approved scheme is necessary:

“In certain soil conditions, particularly in areas with known springs, subterranean development can impact on groundwater flows and levels. This form of development has been known to block or redirect natural groundwater flows, causing subsidence, instability, saturation and/or flooding where this was not previously occurring. If your proposed development leads to these effects on neighbouring property and structures, you could be liable for civil litigation. You are advised to thoroughly investigate the hydrological and flooding implications of your proposed development.”

Ecology

A Bat and Owl Survey would be necessary as there are vacant buildings on site which would provide suitable habitat and this could be agreed with an appropriate condition.

Contaminated Land

Owing to previous uses at the site the standard contaminated land conditions are necessary.

Highways

The Highways Authority has no objection to this scheme.

Other Matters

Reference has been made within the submission to a flat development at this site. Whilst this certainly appears to be an option that the applicant has considered, the Council has judged this scheme as a single dwelling and any application for flats could be judged on its own merits.

An application has been received for a new detached garage to the front of Copper Beech and whilst the new dwelling application before Members may have a material impact on the decision for the new garage, it is not considered that this proposal alters any of the recommendations in this report.

Conclusion:

The principle of a replacement garage and dwelling on site is considered acceptable and the proposed volume is similar to that which it would replace. Therefore impact on the open character of the Metropolitan Green Belt is acceptable. The proposed design is also deemed acceptable and potential impact on neighbour amenity can be controlled by conditions. There is some concern about the design, size and location of the garage block but this is deemed, on balance, acceptable. The recommendation is therefore that consent is granted subject to conditions.

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

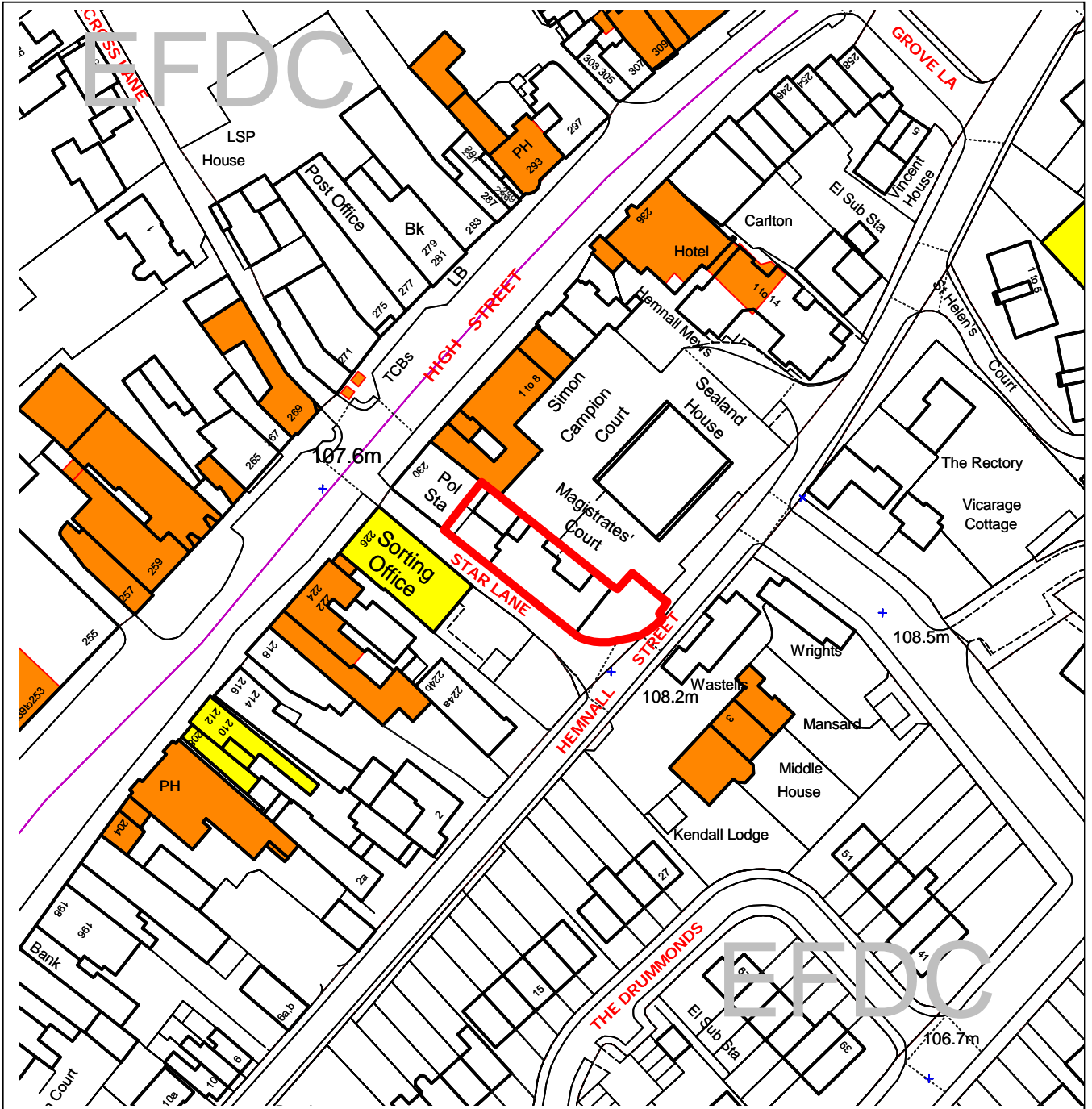
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

AGENDA ITEM NUMBER 5



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0663/15
Site Name:	Epping Magistrates Court, Hemnall Street, Epping, CM16 4LU
Scale of Plot:	1/1250

Report Item No: 5

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

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

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

CONDITIONS

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

Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to the Council. The licence will be granted if the activity conforms with the Habitats Regulations Regulation 53 Three Stage Test and Local Authority planning consent has been granted.

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

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

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

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d))

Description of Site:

The application site contains a civic building formerly used as the Magistrates Court serving Epping. The building is three storeys in height and finished in red brick and Flemish bond. The

building is located behind the Police Station and this building fronts onto Epping High Street. The Magistrates Court fronts onto Hemnall Street and is opposite the Grade II Listed Kendal Lodge. The Magistrates Court is connected to the Police Station by an open sided link at ground floor level and a subterranean tunnel and the buildings were constructed in the 1930's as a pair. The building includes two Magistrates Courts.

Star Lane runs along the flank of the building, separating it from the Post Office Sorting Office and this lane joins the High Street to Hemnall Street. The site is within the designated Town Centre of Epping but not within the Key Frontage. The site is also within the Epping Conservation Area but is not listed or locally listed. There are small parking areas to the front and rear of the building. Hemnall Street contains a mix of both commercial and residential properties and service areas for businesses which front the High Street.

Description of Proposal:

The applicant seeks consent to demolish the Magistrates Court building and replace it with a detached residential development. This building would be a total of four storeys in height (11.6m in overall height) and would provide 8 units. Enclosed parking would be provided for 8 vehicles at ground floor level. Residential space, including balcony areas, would be provided over the four floors with a penthouse style unit at roof level.

The building would be contemporary in nature using a mix of brick, hanging tile painted timber and vertical planting in its finish. The building would be flat roofed and built form would occupy the entire site.

Relevant History:

No relevant history.

Policies Applied:

CP1- Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the Rural and Built Environment
CP3 - New Development
CP4 - Energy Conservation
CP5 - Sustainable Building
CP6 - Achieving Sustainable Urban Development Patterns
CP7 - Urban Form and Quality
CP8 – Sustainable Economic Development
CP9 - Sustainable Transport
RP4 – Contaminated Land
U2B – Flood Risk Assessment Zones
U3B – Sustainable Drainage Systems
DBE1 – New Buildings
DBE2 – Impact of Buildings on Neighbouring Property
DBE5 – Design and Layout of New Development
DBE6 – Car Parking in New Development
DBE8 – Private Amenity space
DBE9 – Amenity
HC6 – Character of Conservation Areas
HC7 – Development in Conservation Areas
HC9 – Demolition in Conservation Areas
HC12 – Setting of Listed Buildings
TC1 – Town Centre Hierarchy
TC3 – Town Centre Function

H3A - Housing Density
H4A – Dwelling Mix
NC4 – Protection of Established Habitat
ST1 - Location of Development
ST2 - Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
I1A – Planning Obligations

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

Summary of Representations:

Date of site visit: 08.05.15

TOWN COUNCIL: Objection. Overdevelopment of the site and concern about the height of the building resulting in an increased prominence in the streetscene. The moving on the building line up to the carriageway makes the building over prominent. Also, there are no footpaths on this corner and the construction of the building at this location will be hazardous for pedestrians. .

58 neighbours consulted and Site Notice Displayed: 1 reply received.

EPPING SOCIETY: Objection. The proposed block is too large and would have a negative impact on the streetscene. The side access to the parking area will cause traffic congestion on Star Lane, we suggest repositioning the parking access.

Issues and Considerations:

The main issues to consider relate to the principle of the development, the loss of the Magistrates Court, the site's location in a Conservation Area, design, amenity, issues relating to parking and the comments of all consultees.

Principle/Loss of Magistrates Building

The Magistrates Court occupies a brownfield site in the centre of a town served by good transport links, shops, commercial properties and places of employment. The building has lain empty for some time now and is surplus to requirements by Her Majesty's Court Service (HMCS). Both national and local planning policy recognises this as a site suitable for development and in an area where there is a need for housing, what is proposed is a very suitable option. National guidance contained in NPPF discourages the long term protection of employment sites where there is no long term prospect of an employment use occupying the plot (para. 22). Furthermore Paragraph 23 recognises the important role that housing can play in promoting the vitality and viability of town centres. Therefore on a site for redevelopment, which is located off the High Street, a strictly residential scheme is considered appropriate. Such a development is economically, socially and environmentally sustainable and is therefore in compliance with the three dimensions of sustainable development mentioned in paragraph 7 of the NPPF. The purpose of the planning system is to help achieve sustainable economic development and this would be achieved in this case.

The main concern with this application, as highlighted in a pre-application response is that the proposed development would result in the loss of a link to Epping's past. It could be argued that the demolition of an existing building is not necessarily economically, socially or environmentally

sustainable, particularly if it could be put to another viable use. A report commissioned by the applicant and undertaken by Bidwells has ruled out another commercial use for this building and the Local Planning Authority are content to accept its findings. However the issue of converting the existing building to residential has not really been addressed. A report by consultants CgMS, which is very thorough and professionally prepared, makes the case that in truth this building is not worthy of retention. This is not a view shared by the Council's Conservation Officer, and an objection to its loss has also been received from the 20th Century Society. Therefore the core issue is that the site is suitable for the development presented but there are concerns that this should not be at the expense of the loss of this imposing 1930s building.

The case for retaining the building can be summed up by the response received from the 20th Century Society as follows;

"The Police Station and Magistrates' Court were built in c.1938 by the Essex County Council Architect, John Stuart (1875-1956), and they replaced an earlier 19th century Police Station on the same site. The buildings occupy a long plot, with the Police Station fronting the High Street and the Magistrates' Court fronting Hemnall Street, and are linked by a subterranean tunnel containing the cells and an open-sided, covered area which is believed to have originally housed the kennels. Together the Police Station and Magistrates' Court form an important group due to their architectural and historic value. The Magistrates' Court was Epping's first purpose built court building, previous courts were held within the old police station, and the construction of the buildings in the late 1930s pre-dates the 1949 Justices of the Peace Act after which Police Stations and Magistrates' Courts became distinct entities in their own right. The building is, therefore, of historic value and in this way contributes to the character of the conservation area.

The quality of John Stuart's work elsewhere in Essex has been recognised with John Ray House, Braintree, and blocks C and D of County Hall, Chelmsford, both being listed at grade II. He is therefore an architect of note. An application to list Epping Police Station was made in 2013 but was unsuccessful; however, the listing report from English Heritage did acknowledge the local interest of both the Police Station and Magistrates' Court and stated that demolition would be 'regrettable'.

The Epping Conservation Area Character Appraisal and Management Plan (published November 2009) lists Epping Police Station at 230 High Street (which includes the Magistrates' Court behind) as a building which makes a positive contribution to the character and appearance of the conservation area. The Police Station is separately identified as one of the key buildings of townscape merit. Explicit reference is not made to the Magistrates' Court in the description of the relevant character area within the appraisal (Area 5: Upper Hemnall Street), however, as stated within the document's introduction, failure to mention any particular building does not imply that it is of no interest. The court building is considered to make an important contribution to this part of the conservation area which contains buildings with a mixture of uses and, on the north-west side of the street, many buildings and spaces in ancillary use to the main commercial buildings on the High Street. This gives the upper part of Hemnall Street the distinct character of a secondary street to the High Street and, as an architecturally subordinate building to the Police Station, the Magistrates' Court embodies this character. Given its size and prominence, the building is also a notable feature in this part of Hemnall Street, as well as in views from the High Street down Star Lane.

The court building also adds to some of the factors identified within the appraisal which contribute to the character of the conservation area, including the wide variety of building types and styles, and the range of traditional building materials and historic architectural features. The building is a simple, well-proportioned example of 1930s modernist architecture. Its bold simplicity and typical 1930s detailing, particularly its fenestration, make the building a valuable addition to the variety of building styles in the conservation area. This is particularly emphasised by the contrast in styles with the polite, neo-Georgian style of the Police Station. As a group these two buildings have

architectural interest which contributes to the appearance of the conservation area; the Police Station was designed to integrate into the High Street streetscene and make a strong architectural statement, whereas the Magistrates' Court was built for purpose and is very simple, honest, and utilitarian. Despite these differences there are a number of parallels which show that the buildings are of the same era and that their original uses were related. The same red brick laid in a Flemish bond has been used in both buildings; the stone architraves surrounding some of the doors are the same; and, the single brick arch detail above the rainwater hoppers is seen on both buildings, as are the recessed downpipes”.

Paragraphs 132-135 of the NPPF outlines how great weight should be attached to the loss of a heritage asset and any loss should require clear and convincing justification. In considering applications which affect non designated heritage assets a balanced judgement will be required to have regard to the scale of loss and the significance of the asset. Any loss should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy HC9 of the adopted Local Plan describes how consent for demolition within conservation areas will only be granted where the building does not make a significant contribution to the character or appearance of the area.

As stated the case against retaining this building is that it is not worthy of retention. The submitted Heritage Statement suggests that the building both internally and externally is unremarkable. In support of this assertion is the fact that English Heritage, in 2011, rejected a listing application stating that “*original features were simple and modest, there were “no bespoke features or any architectural feature in the layout” and “the interior is very plain and of a very functional and standard type”.* CgMS describe the building as “*very plain with little with limited external decoration”.*

There is little doubt that the main attribute of this building is its historical significance and group value with the adjacent Police Station. It is accepted that the Magistrates Court is a subordinate building and therefore its inferior quality to the Police Station is understood.

Many may consider the existing building to be somewhat unattractive due to the expanse of brick and prominence of downpipes and this may account for the building not being locally listed.

There is slight trepidation that the option of converting the building to residential has not been clearly addressed. However that could have associated problems such as the probable loss of parking spaces to serve a scheme. Epping Town Centre benefits from a rich tapestry of historic buildings, many at much more prominent locations, and many are duly listed or locally listed. Paragraph 134 of the NPPF requires a judgement between the significance of the asset against the public benefits of the proposal. Ultimately it is considered that the retention of this building would not outweigh the benefits of redevelopment. This is a prime located, brownfield site and it is not considered that the attributes that this building have outweigh the case for a redevelopment. Members may feel that the case for conversion to residential has not been discounted and that therefore the loss of the building has not been justified as required by Paragraph 133 of the NPPF. However it is Officers view that, on balance, the principle of the loss of the building is acceptable.

Design

The proposed design is considered to be of high quality and acceptable in terms of height, bulk and scale. There is slight concern, as highlighted by the Town Council's comments, that the building will fill the entire plot and will sit forward in the streetscene. However the maximisation of the available space on a brownfield site off the High Street is not necessarily a negative aspect of this development. However, the always crucial element of materials is of even more importance. In that respect the use of good quality materials throughout the build will need to be agreed by condition. The use of quite a lot of hanging tile could potentially be an issue of concern. A contemporary timber finish on the Hemnall Street side of the building might also be an option

worth considering. However the hanging tile can be justified, and references the Grade II Kendal Lodge on the opposite side of Hemnall Street. The design rationale is a contemporary design using traditional materials and, as stated, if good quality materials are agreed by condition the overall design concept would successfully integrate at this location, providing an interest and attractive addition to the townscape.

Amenity

Private amenity space is provided by balcony/terrace areas. In a town centre location what is proposed is considered acceptable and there are good links to areas of public amenity space. There are a number of balcony areas including at roof level but owing to the distance to, and layout of nearby residential properties there would not be serious overlooking.

Parking Provision/Highway

There is no discernible concern with highway safety or congestion with regards to this proposal. The Town Council has raised concern that building to the boundary on Hemnall Street will raise issues of pedestrian safety. At present there is no pavement on this boundary with the carriageway, albeit pedestrians could step into the parking area. The new development will not build entirely to the boundary and a small area for pedestrians will remain. Therefore it is not considered that there will be issues of pedestrian safety connected to this development. In a town centre location served by good transport links, 1 space per dwelling, as proposed, is considered a reasonable provision and the Highways Authority at Essex County Council has raised no objection to the scheme. .

Land Drainage

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment (FRA) is required.

The applicant has provided a flood risk assessment with the application and the Council agree with the findings in principle.

A condition requiring that the development be carried out in accordance with the flood risk assessment (Richard Jackson Engineering Consultants -Proposed Redevelopment- Epping Magistrates Court, Project 45660, March 2015) and drainage plan (45660/P/SK01) submitted with the application unless otherwise agreed in writing with the Local Planning Authority is considered reasonable and necessary. .

Ecological Considerations

Owing to the fact that the building is empty and aged it could be home to roosting bats. Therefore prior to the commencement of the development appropriate surveys to ascertain the presence, or not, of bats and appropriate mitigation if necessary should be undertaken. This can be agreed by condition.

Archaeological Advice from Essex County Council

The Essex Historic Environment Record (HER) shows that the proposed development is sited within the core of historic Epping (EHER 3826), fronting onto Star Lane and Hemnall Street. Trial-trenching of the adjacent plot established the survival of post-medieval archaeological remains on the site (HER 46455). The 1875 OS map shows at least one structure on the proposed development site, and it is possible that it had earlier predecessors. Given the location of this development in the historic settlement the possibility of archaeological remains being present is

high. Archaeological features and layers are both finite and fragile, therefore a condition agreeing the implementation of a programme of archaeological work in accordance with a written scheme of investigation is considered necessary.

Refuse Provision

The proposed refuse storage space provided on site is acceptable.

Legal Agreement

In line with local plan policy HC9 and Paragraph 136 of the NPPF the Council would require a legal agreement which will ensure that once the building is demolished the new development will proceed to an agreed timeframe.

Conclusion

In conclusion it is considered that although the loss of the building is regrettable it is not of such architectural merit for the Council to insist on its retention. On balance the benefits of this new development are considered of more material weight and the reuse of the site should take precedence. The design of the new building is considered appropriate subject to the agreement of materials and there are no significant issues of amenity. The level of parking is acceptable and generally the redevelopment represents a suitable reuse for the site. A Legal Agreement is considered necessary agreeing the demolition and a timeframe for the redevelopment. The recommendation is therefore that consent is granted subject to conditions and the signing of an appropriate agreement.

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

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

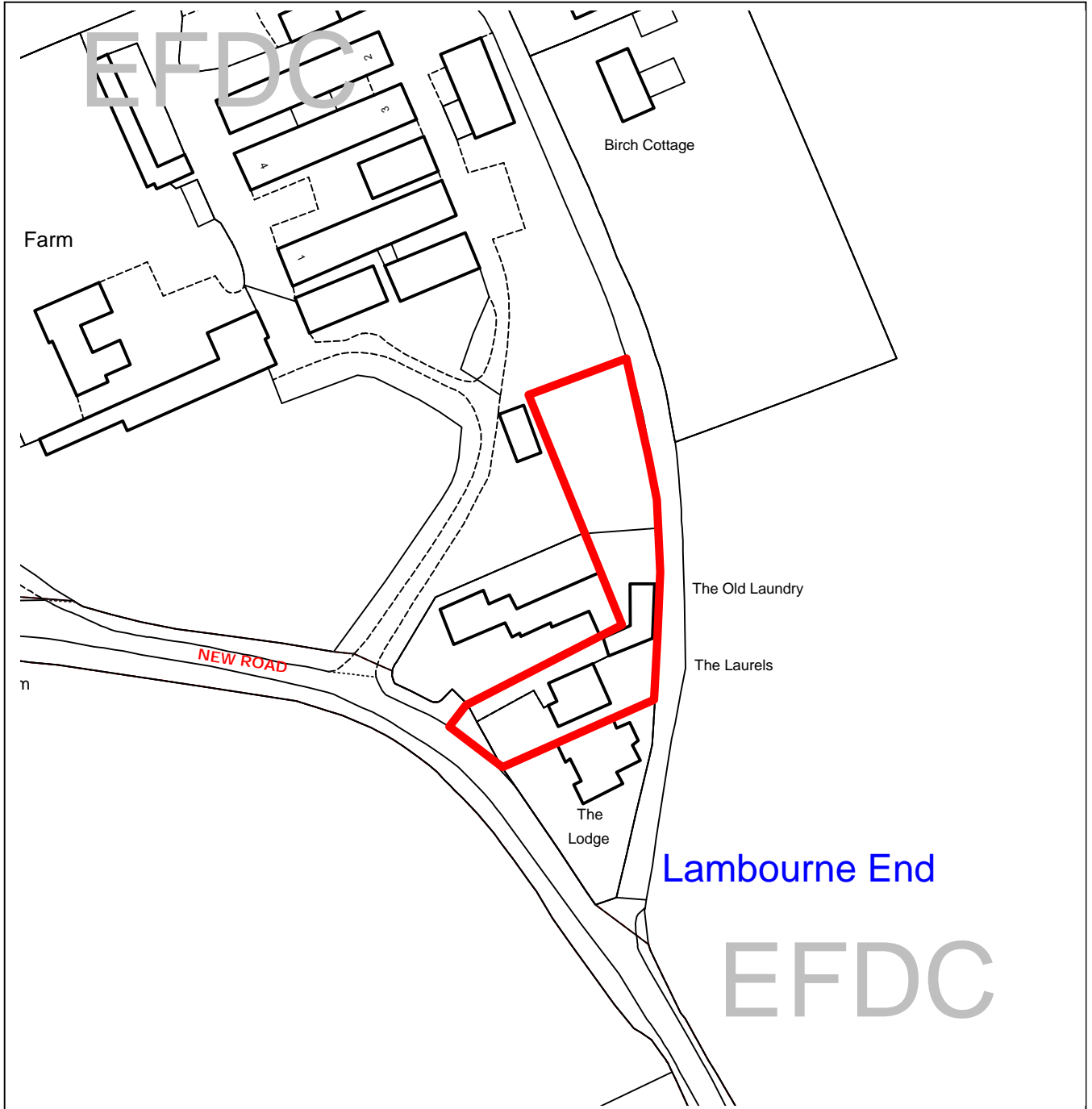
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 6



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0670/15
Site Name:	The Laurels, New Road Lambourne End, RM4 1DY
Scale of Plot:	1/1250

Report Item No: 6

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

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

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

REASON FOR REFUSAL

- 1 The proposal constitutes inappropriate development that is, by definition, harmful to the Green Belt. The very special circumstances outlined in this application are not considered sufficient to outweigh the harm caused. As such the development is contrary to the provisions of the National Planning Policy Framework, and to policies CP2 and GB2A of the adopted Local Plan and Alterations.
- 2 The proposed shared access would result in the movement of vehicles to and from the new dwelling passing next to the existing dwelling on the site, causing a loss of amenity and privacy for occupants of this dwelling. The proposal is therefore contrary to policy DBE9 of the adopted Local Plan and Alterations and contrary to the National Planning Policy Framework.

This application is before this Committee since it has been 'called in' by Councillor Brian Rolfe, (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(h)).

Description of Site:

The site comprises a bungalow facing New Road, a single storey annexe building to the rear, and also a paddock to the rear. This paddock fronts a private access road to the rear leading to Dews Hall Farm but it is well screened by tall conifer and evergreen trees. The property is not listed nor does it lie in a conservation area. It lies in the Green Belt in a small enclave about one mile to the south of Abridge

Description of Proposal:

Demolition of single storey annexe to the rear, and the erection of a part one and part two storey dwelling, with integral garage, on land to the rear, with a self contained annex on the first floor. To be located in the paddock to the rear.

Relevant History:

EPF/639/06 – a certificate of lawful development application – it was certified that the use of part of the agricultural building at the rear as an annexe to the dwelling was a lawful use.

EPF/454/14 - Approval granted for change of use of (the remaining) section of the agricultural building at the rear as a residential annexe to the main house. This consent has not been implemented

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
DBE1 – Design of new buildings
DBE4 - Design in the Green Belt
DBE6 – Car parking
DBE8 – private amenity space
DBE9 – Loss of amenity
DBE10 – Residential extensions.
GB2A – Development in the Green Belt
LL1 – Rural landscape
LL10 Adequacy of provision for landscape retention.
LL10 Landscaping Schemes
ST1 – Location of development
ST2 Accessibility of development
ST4 Road safety
ST6 Vehicle parking
National Planning Policy Framework (NPPF0)

Summary of Representations:

LAMBOURNE PARISH COUNCIL – no objections

NEIGHBOURS - 4 consulted and no replies received.

EFDC LAND DRAINAGE – No objection in principle. The site does not lie with an EFDC flood risk assessment zone, nor in an Environment Agency flood zone and therefore consultation with the Agency is not required. Please add a condition requiring approval of surface water drainage details before any works commence.

Issues and Considerations:

It is proposed to erect a new chalet style dwelling on the paddock at the rear of the property, where the smaller first floor will be used as a separate annexe to be occupied by the applicants' son. The 34 year old son suffers from significant disabilities, that is - he has communication difficulties, a learning disability, and coordination difficulties, and a very poor eyesight has recently worsened such that he is now registered blind. A carer visits him every day. He currently lives in part of the former agricultural building to the rear of the house where he enjoys a certain amount of independence. The proposal to enlarge this annex, following the approval of EPF/454/14, has not been implemented since his parents now desire that he live with them in a purpose built and safe

dwelling tailored to his needs, and where they are able to watch over him more closely given his failed eye sight. The existing building at the rear of the site will be removed and a new access drive would be provided to the side of the existing bungalow to be shared by the new dwelling and the existing bungalow. The bungalow would be sold to raise finance and release the applicants from mortgage commitments. Finally, the applicants are very wary of moving house to a new geographical location because of the disruption that may be caused to the support services network that has been established for their son, and also because their son is familiar and 'content' with his surroundings in New Road and Lambourne End.

The proposed new dwelling would lie in the Green Belt on a site that is not previously developed land. It therefore constitutes inappropriate development harmful to the Green Belt. Members will be aware that very special circumstances can occasionally be identified which are sufficient to outweigh the harm caused by inappropriateness and any other harm caused, eg the reduction of openness. This application, in effect, proposes a second dwelling in the Green Belt, and while the personal circumstances of the applicants are fully acknowledged and are clearly challenging on a daily basis, it is difficult to justify the erection of a second dwelling. By comparison if the application instead proposed the provision of a new first floor on the existing bungalow, or a large rear extension, then the normal requirement for a 'limited' extension in the Green Belt could more easily be set aside because of the very special circumstances identified in this application.

The agents have provided other arguments also to support this application. They state that the proposal includes the removal of the former agricultural building, and three sizeable containers that have long been located within the paddock at the rear, and that their removal therefore significantly reduces the additional built volume the new dwelling would give rise to. Secondly, the site is surrounded by tall trees so that the new dwelling would be largely hidden from view, and consequently its impact on openness would be substantially reduced. Thirdly, the site lies in an infill plot due to its relationship to the cluster of development around it. While these points can be afforded some weight the site does not lie within a village and hence the proposal cannot be seen as limited infilling in villages 'allowed' in the Green Belt by paragraph 90 of the NPPF. In addition because of its sizeable footprint and greater height the new building will have a greater impact than the buildings to be removed.

The agents have also submitted Committee minutes of an application approved by Brentwood DC in 2014. This proposed the replacement of a mobile home on a Green Belt site with a dwelling. The application was approved by the Council given the very special circumstances provided by the housing needs of the applicants' disabled daughter, and also because a section 106 agreement was entered into which, inter alia, ensured that only the applicants and their daughter would reside in the house, and that for a period of 50 years the dwelling would be used, and adapted if necessary, to meet specialist needs housing as directed by the Council. Clearly such a decision has relevance to this current application, but again one distinction is that the new dwelling which was approved replaced an existing mobile home whereas this application proposes an additional and second dwelling

Apart from Green Belt issues the application also proposes a rather unsatisfactory means of vehicular access. For a reason that has not been clarified the owner of the private access road to the rear, (which serves Dews Hall Farm -currently being converted to dwellings - and some other houses), will regrettably not allow the applicants to form an additional access onto this private way. Consequently a redesigned access is proposed from New Road to serve both the new dwelling at the rear and the existing bungalow to be sold off. This would mean that vehicles to the new dwelling would pass by within several feet of windows in the existing bungalow, and this would cause a loss of amenity and privacy to occupants of the bungalow.

The new dwelling would have ample sized garden, and a double garage and driveway area would provide more than adequate provision for off street car parking. The house would lie in a form of back land position but because it would occupy a more northerly position than the nearest

neighbouring dwelling at The Old Laundry, it would have a small impact on the amenity and outlook of this neighbour. The nearest shops and services to this site are in Abridge – consequently, the location is not a particularly sustainable one for a new dwelling – however the site cannot be classed as a remote one, and it would be unreasonable to refuse the proposed dwelling on grounds of its unsustainable position. The many trees on the site are located next to its boundaries, and these will be able to be retained to screen the new dwelling.

Comments on representations received:-

The parish council have no objections and no replies have been received from neighbours. This low key response could suggest that the proposal is not viewed as a particularly contentious one locally.

Conclusions:

The very special circumstances contained in this application would justify setting aside Green Belt policies if a significant conversion and enlargement of the applicants' existing dwelling was proposed. However, it is considered, with some reluctance, that the erection of a second dwelling cannot be justified. It is therefore recommended that planning permission be refused for this new dwelling on Green Belt grounds, and secondly, because an inappropriate means of access is proposed.

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

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

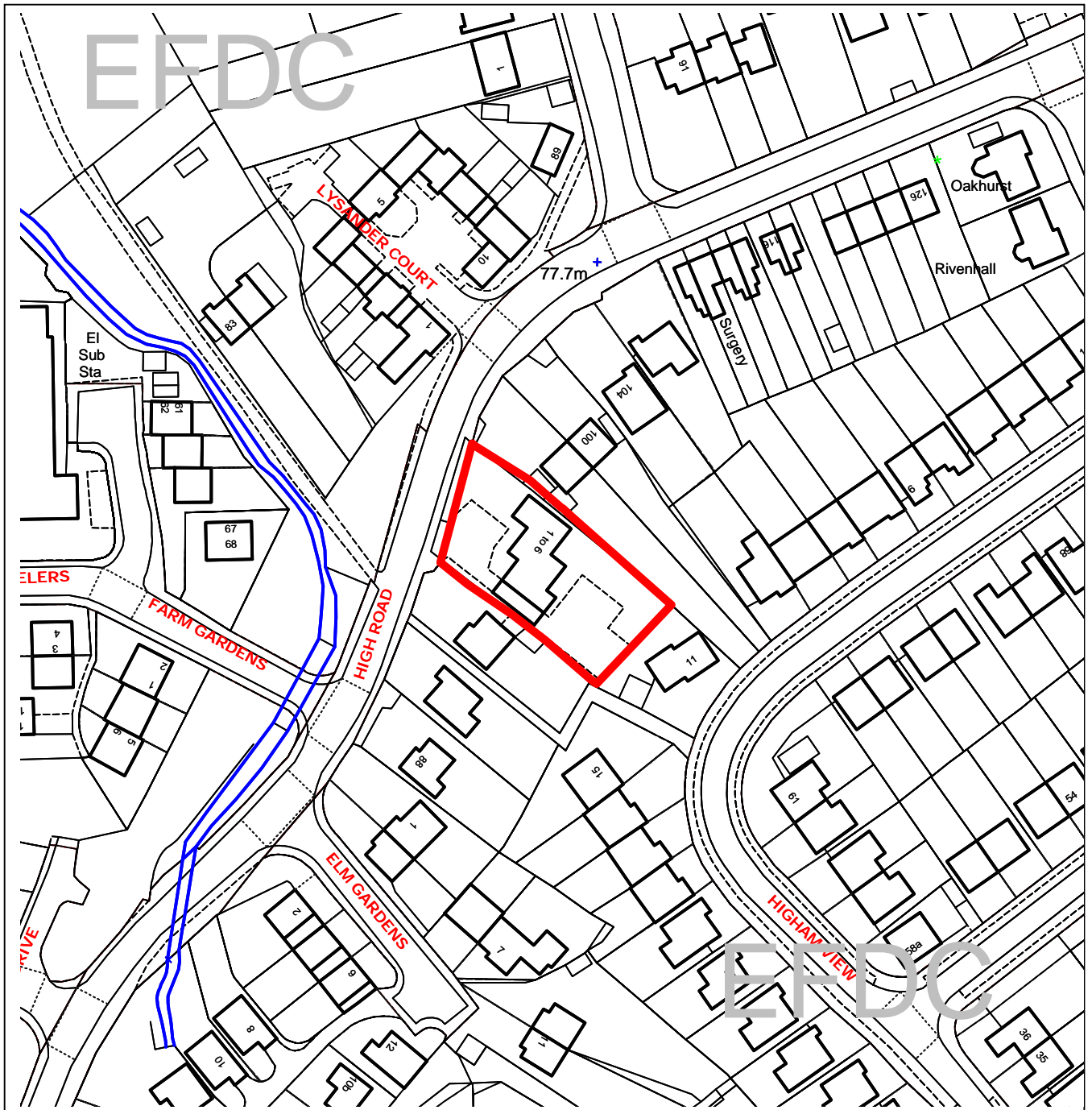
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 7



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0680/15
Site Name:	94-96 High Road North Weald Bassett, CM16 6BY
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0680/15
SITE ADDRESS:	94-96 High Road North Weald Bassett Essex CM16 6BY
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Michael Osborne
DESCRIPTION OF PROPOSAL:	Proposed 1 no. 2 bed flat and 1 no 1 bed flat in the existing roof of the property with front, side and rear dormer windows. Two storey front extension to gain access to flats in roof (Revision to EPF/2827/14)
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=574616

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: ONWEF/14/1-3, 04a (received amended 4/6/15), 5b (received amended 4/6/15), 6a, 7a, 8b (received amended 4/6/15), 9a (received amended 4/6/15), 11, 15, 16, location plan.
- 4 The proposed window opening in the flank elevation serving the dormer window shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 The parking area shown on the submitted plans shall be permanently retained for this purpose and remain free from obstruction which prevents the parking of vehicles.

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

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

Description of Site:

The application site is located in the village centre of North Weald and is occupied by a large detached building which houses six flats at ground and first floor. The building occupies almost the entire width of the site and is a modern construction which uses a mix of brick and render in the finish with front projecting gable features. Parking space for the development is provided to the front and rear.

Description of Proposal:

This is a revised application following the withdrawal of a scheme earlier in the year (EPF/2827/14). The previous scheme involved raising the ridge level to create a half hipped roof which would be served by dormer windows to the front and rear. An external staircase would have provided access to flats within the roof.

This scheme differs in that the staircase would be removed and accommodation would be created in the existing roof with dormer windows added to the front, side and rear elevation. The existing roof structure would be retained with the ridge level staying the same. Two flats would be created in the new roof. A two storey extension would be added to the front elevation in order to gain access to the new units.

Relevant History:

EPF/0378/04 - Erection of 8 no. two bedroom flats in two blocks with parking. Refuse Permission - 21/04/2004.

EPF/1280/05 - Erection of 6 no. flats with associated car parking (Revised application) Grant permission - 16/01/2006.

EPF/2827/14 - Proposed 2 additional 1 bed flats in the roof of existing property, external staircase for access and front and rear dormer windows with raised ridge level to form half hipped roof. Withdrawn by applicant – 22/01/15.

Policies Applied:

- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment.
- DBE1 – New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE9 – Neighbour Amenity
- ST4 – Road Safety
- ST6 – Vehicle Parking
- H2A – Previously Developed Land
- H5A – Provision for Affordable Housing
- H6A – Site Thresholds for Affordable Housing

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

Summary of Representations:

Date of site visit: 19.1.15

PARISH COUNCIL: Objection. There is an impact to the properties and the residents in the properties currently living in the development and also at the rear of the development. The proposal represents an overdevelopment of the site.

It is out of keeping with the street scene. It is detrimental to the visual aspect of the area. Concern at the height of the proposal. Concern at the lack of car parking spaces.

11 neighbours consulted: 7 replies received.

Flats 1, 2, 3 4, 5 & 6 Nos 94-96 High Road: Objection. The submission refers to 8 existing parking spaces but in reality there are only six. No additional parking is legally permitted under the terms of the lease. The new staircase will restrict access to the rear of the building and will result in a loss of light to kitchen windows on two of the properties. Concern about safety between pedestrians/cars using the thoroughfare. Concern about noise and nuisance and no consideration has been given to existing services. This is a new development which was sympathetically designed and in keeping with its surroundings and the proposed new building is an overdevelopment and out of character..

11 HIGHAM VIEW: Objection. Our bedroom and conservatory are overlooked by the premises seeking planning permission. Would it be possible to install privacy or concealed glass in the windows overlooking our premises to offer more privacy to the residents of all properties.

83 HIGH ROAD: Objection. The original development was the maximum for the site and anything further would result in an overdevelopment. Concern that the increase in residential units will lead to parking issues in the immediate vicinity. Concern about potential road safety issues.

Issues and Considerations:

The main issues to consider relate to the principle of the development, design, amenity, parking/layout and the comments of consultees.

Principle/Design

The existing building on site followed careful consideration and evidently some negotiations between the applicant and the Local Planning Authority to find a design that would be acceptable. The withdrawn application was similar to a scheme that was discounted when the original scheme was approved in that a half hipped roof was proposed with a raising of the ridge level. This was considered bulky and out of scale with the existing pattern of development. An external staircase was also deemed an incongruous addition.

This scheme suggests retaining the existing roof and adding dormer windows to the front and rear. The external staircase would be replaced by an extension to the building which would continue the form of the rendered section and gabled roof. The access to the new units would therefore be internal. The Parish Council and neighbours/occupants of the flats has raised concern that the proposal represents an overdevelopment of the site. In terms of the addition of built form this is difficult to substantiate and the overall footprint will only marginally increase. Local Planning Authorities are advised by Central Government to make better use of previously developed sites and the starting point must be that if the number of housing units on a site can be increased with no material harm then there should be a presumption in favour of the scheme. Paragraph 14 of national guidance contained in the NPPF outlines how sustainable development is the "Golden Thread" running through the planning system and the more economical use of this site is policy compliant. The principle is therefore agreed. In design terms the dormer windows are relatively

well proportioned, would set well within the roof and the extension to the building just follows the existing form. The design is therefore acceptable.

Amenity

Concern is expressed about impact on neighbours to the rear (No11) but it is not considered that the addition of rear facing dormers would excessively impact on the amenity of residents of these dwellings and an acceptable distance (circa 20.0m to the rear boundary line) would be retained.

It is also stated the new extension to gain access to the roof would materially affect the amenity enjoyed by existing residents. There would be an increase in overshadowing of a living room and kitchen on the ground floor flats adjacent to the new extension and a bedroom in the floor above. In relation to the kitchen and bedroom there would be an increase in the level of existing overshadowing from earlier in the day but it is not considered highly detrimental and a good level of outlook would remain. The living room on the ground floor would also suffer the loss of some early sunlight however the extension adjacent to the window would be single storey and again this would not seriously infringe on amenity. Some impact is noted but on balance it is considered that any impact is not excessive and to an acceptable level.

Parking/Layout

The development proposes a total of 11 parking spaces which in a town centre/village location is considered reasonable to serve a total of 8 flats. The proposed layout is considered acceptable.

Objection Letters have stated that the parking layout cannot be altered under existing covenants and that such covenants will prevent this development from coming forward. Any legal restrictions in place are not a matter for determination under a planning application but any granting of consent would not override covenants which may be in place.

The Highways Authority at Essex County Council has raised no objection to this scheme.

Conclusion:

The proposed development would make more efficient use of a brownfield site and the principle is therefore acceptable. The proposed design and layout is also acceptable. Impact on the amenity of neighbouring residents would not be to a serious level. It is therefore recommended that consent is granted subject to conditions.

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

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

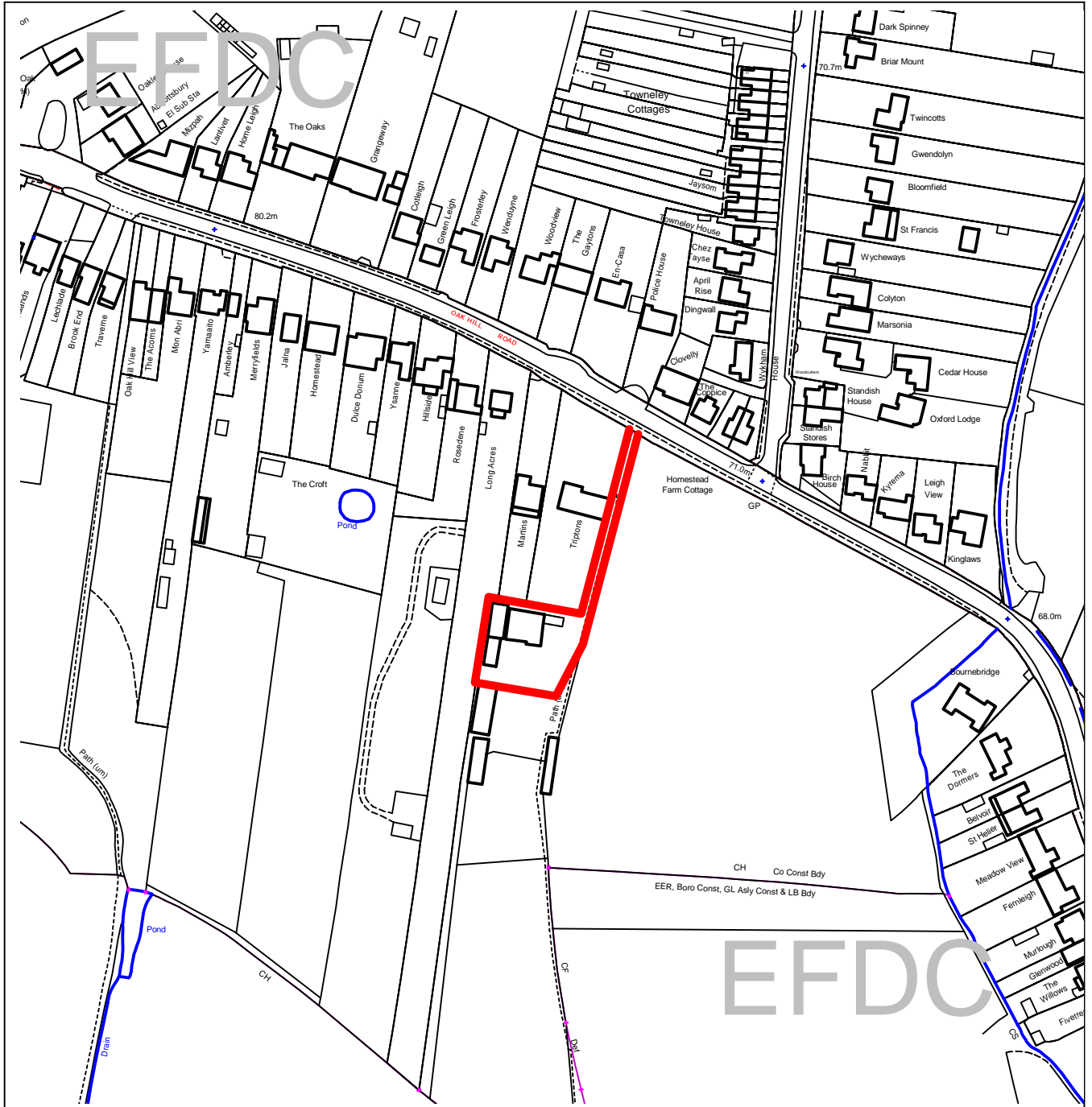
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 8



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

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

Report Item No: 8

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

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

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

CONDITIONS

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

Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

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

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

- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 13 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 14 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1287.1A, .2A, 3 and 4

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

Description of site

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

Description of proposal

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

Relevant History

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

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

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

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment

CP7 – Urban Form and Quality

H2A – Previously developed land

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE3 – Design in Urban areas

DBE6 – Car Parking in New Development

DBE8 – Private amenity Space

DBE9 – Impact on amenity

ST6 – Vehicle Parking

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

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

Consultation carried out and summary of representations received

9 Neighbours consulted –

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

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

Comments on Stapleford Abbots Parish Council representation

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

Issues and Considerations

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

Principle of development

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

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

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

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

Living conditions of neighbours

The dwellings are sited approximately 4.6m apart and have different orientations. As such neither property will appear significantly overbearing to the other, there will also be no potential

overlooking into private areas of either dwelling. Therefore the living conditions of both dwellings will be of a good standard.

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

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

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

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

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

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

Design

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

Highway issues

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

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

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

Land Drainage

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

Contaminated Land

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

Conclusion

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

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

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

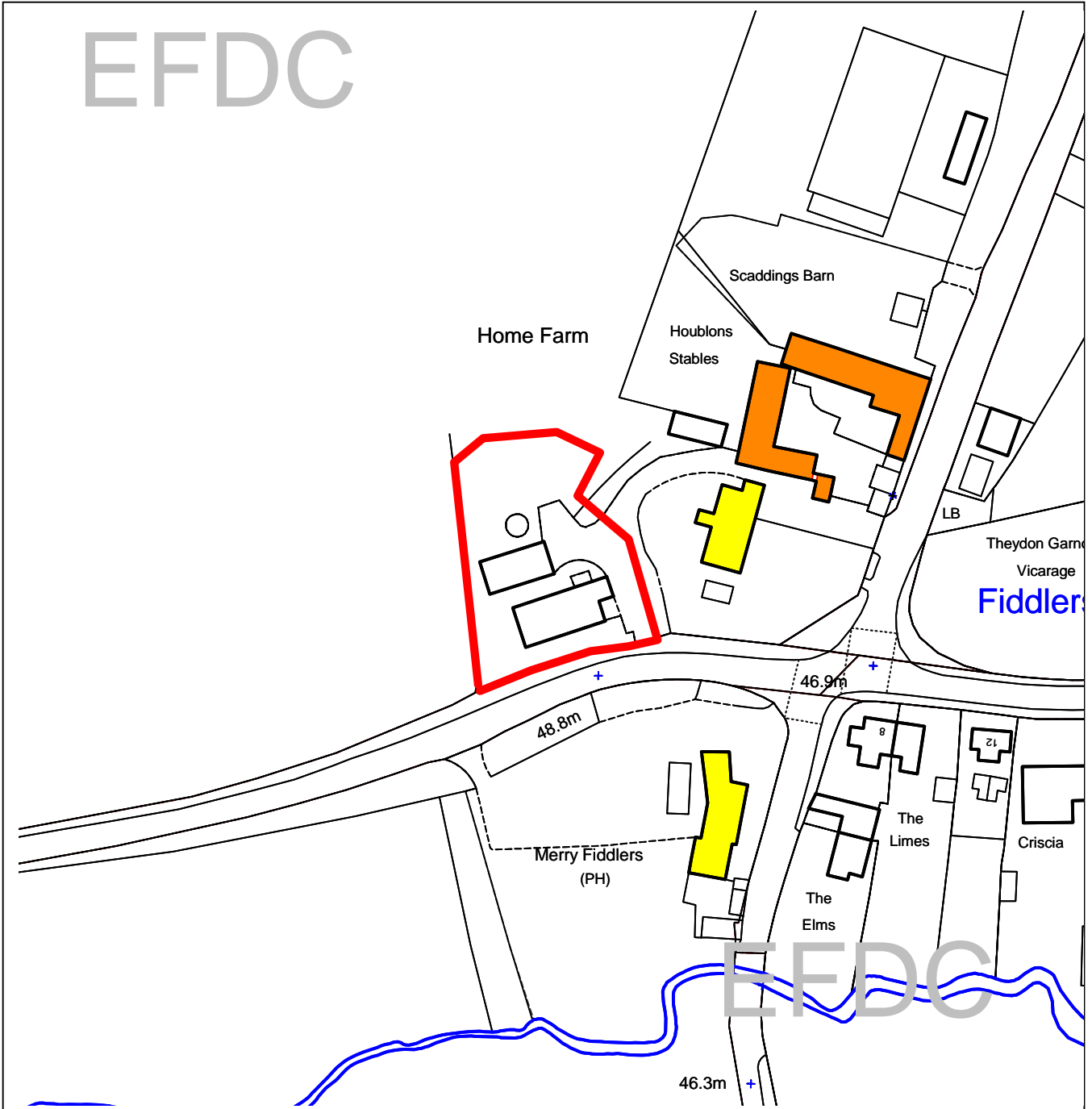
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

AGENDA ITEM NUMBER 9

EFDC



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0735/15
Site Name:	Home Farm Barns, Stewards Green Road, Fiddlers Hamlet, CM16 7PG
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0735/15
SITE ADDRESS:	Home Farm Barns Stewards Green Road Fiddlers Hamlet Epping Essex CM16 7PG
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	The Chisenhale Marsh Estates Company
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and structures, and erection of 2 new dwellings
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=574734

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Job No. 1304 Drawing numbers : 1340_001 Rev PP3, 1304_002 PP4, 1304_003 PP3, 1304_004 PP2, 1304_005 PP2, 1304_006 PP1, 1304_008 PP4, 009 PP3, 010 PP3, 1304_013 PP2, 014 PP2, 015 PP2.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 The development shall be carried out in accordance with the flood risk assessment (ref:CCE/N531/FRA-01 December 2013) and drainage strategy submitted with the application unless otherwise agreed in writing by the Local Planning Authority.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and

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

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

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

- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Prior to first occupation of the development the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the highway verge.
- 12 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced and sealed. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 There shall be no discharge of surface water onto the Highway.
- 15 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 16 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

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

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 as outlined in red on the submitted location plan is located on the northern side of Stewards Green Road opposite the public house known as the Merry Fiddlers within the small village of Fiddlers Hamlet. Historically it once formed part of the Gaynes Park Estate before being subdivided and managed under separate ownership.

The site itself has a slope that falls away from the rear of the plot towards the front. It is irregular in shape and consists of approximately 0.19 of a hectare. Mature vegetation is scattered throughout the site and a modest size hedgerow is located along the front and western side boundaries of the site. Currently located on the site are a number of poor-quality steel framed and brick built buildings. Vehicle access to the site is taken from Stewards Green Road that leads to a large hard standing area in front of the two main buildings. The two main buildings on the site currently have a lawful use for the making of furniture and joinery products including the finishing and storage of products whilst the remaining buildings are either temporary portable cabins or used for agriculture.

Surrounding built form includes recently converted farm buildings to the east of the site which are now in residential use and the public house that is located opposite the site. The adjacent building to the east known as Houblons Stables and Scaddings Barn are grade two listed. Open fields used for agriculture are located to the north and west of the site. The site and the surrounding area are located within the Metropolitan Green Belt.

Description of Proposal:

Planning permission is sought to remove all the buildings on the site with the exception of the substation located within the south western corner of the site and construct 2 new four bedroom dwelling houses with integral garaging, parking and landscaping.

The dwellings would be sited one behind the other centrally positioned within the site. The fronting building is predominantly brick with a double pitched roof to mimic the existing building on the site and the end elevations are to be black timber weatherboarding. The design is intended to look like a converted building rather than a typical detached house. The rear dwelling is predominantly black weatherboarded and again is designed to reflect the character of a traditional Essex barn.

The access is as existing and fronting hedge and trees are to be retained. A courtyard area is provided between the two dwellings and each has private garden space.

Relevant History:

EPF/0868/02 - Change of use of agricultural barn to B2 workshop (making furniture part-time) (approved 19/7/02)

EPF/0684/04 - Change of use from agricultural store to furniture store (approved 22/6/04)

EPF/1694/11 - Continued use of premises for production of furniture and joinery products including finishing and storage of final products (approved 7/10/11)

EPF/0450/14 – Demolition of existing buildings and erection of two detached dwellings, refused for the following reason:

The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. Although the principle of the development is deemed to be acceptable by definition given that the site is classified as previously developed land (brownfield), the proposed dwelling houses however are materially greater in size and scale than that of the buildings that they are proposed to replace, particularly in relation to their bulk, massing and height. The proposal would, therefore, result in undue intensification of built development at the site that would be visually prominent and would unduly diminish the rural character and the openness of the Green Belt and thus not accord with the aims and objectives of including land within the Green Belt. The proposal is contrary to policies CP2 and GB2A of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

Policies Applied:

Local Plan and Local Plan Alterations

CP1 Achieving sustainable development objectives

CP2 Protecting the quality of the rural and built environment

CP3 New development

CP5 Sustainable Buildings

H1A Housing provision

H2A Previously developed land

DBE1 Design of new buildings

DBE2 Detrimental effect on existing surrounding properties

DBE4 Development within the Green Belt

DBE6 Car parking in new development

DBE8 Private amenity space

DBE9 Loss of Amenity

HC12 Development affecting the setting of listed buildings

GB2A Development within the Green Belt

GB7A Conspicuous Development

LL1 Rural Landscapes

LL2 Inappropriate rural development

LL10 Protecting existing landscaping features

LL11 Landscaping scheme
ST1 Location of development
ST4 Highway safety
ST6 Vehicle parking
NC4 Protection of established habitat
RP4 Contaminated land

The above policies are considered to be in accordance with the NPPF and are therefore to be accorded due weight.

Nation Planning Policy Framework

Summary of Representations

Three adjoining neighbours notified and a site notice was erected on 20th April. A site visit took place on 15th May.

EPPING SOCIETY– Object contrary to Green Belt policy, visually prominent and harmful to the Green belt.

PARISH COUNCIL – Committee OBJECT to this application. Whilst Committee note the revised proposal based on the previous objections, the existing local plan states that residential development within the green belt is only permitted for small scale affordable housing schemes, replacement dwellings, tied houses associated with agriculture, horticulture or forestry or conversion of former agricultural buildings. Permission to demolish agricultural buildings and develop houses on this site would set a precedent that would lead to inappropriate residential development in rural locations across the district. This site is a viable commercial location, evidenced by the fact that there are still business premises on the site. Proposals like this will lead to the end of the countryside as a productive place. The current trend to build residential accommodation on every available piece of land is eroding the sites available for employment and undermining the local economy. The Town Council do not wish the town to become a dormitory. Any change of use should be capable of conversion without any major or complete reconstruction. Relevant Policies: GB2A; GB7A; GB8A; GB9A; GB15A; GB16

Issues and Considerations:

The main issues to be addressed are:

- Green Belt
- Design and appearance
- Neighbouring amenities

Green Belt:

The National Planning Policy Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness. One of the purposes of including land within the Green Belt is to safeguard the countryside from encroachment. The Framework explains that the construction of new buildings is inappropriate development within the Green Belt apart from some exceptions. Policy GB2A of the Epping Forest Adopted Local Plan is broadly in accordance with these objectives. Policy CP2 seeks to protect the quality of the rural and built environment.

Paragraph 89 of the Framework explains what constitutes as exceptions in relation to the above. Particularly, it states that limited infilling in villages and limited infilling or the partial or complete

redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the green belt and the purposes of including land within it than the existing development.

The site is defined as a previously developed site (brownfield land) due to its existing use for the production of furniture and joinery products and as such, the buildings are no longer agricultural and therefore the Town Council's concern that the development is contrary to Green Belt policy is incorrect. The principle of the construction of new buildings on this previously developed site for residential use is acceptable in Green Belt terms.

However the question remains as to whether the proposal would have a greater material impact on the openness of the Green Belt from that of existing conditions. The previous application was considered to have a greater impact on openness due to the spread of development and the overall bulk of the proposed buildings. The revised scheme was submitted following further consultation with officers and has addressed this issue.

Existing

Total built volume approx. 1455m³

Proposed

Total volume approx. 1600m³

Previously refused

Total volume approx. 1914m³

This is a significant reduction in volume over the previously refused scheme and in addition the height and orientation of the buildings has been reduced such that they will be less visually prominent in the site. It is considered that the now proposed increase in volume (about 10%) is reasonable and that the impact on openness is not materially greater than the existing development. Furthermore the proposals reduce the spread of development within the site and see the removal of a number of temporary and unattractive structures and open storage. It is therefore considered that the development is not inappropriate in the Green Belt.

Both dwellings include integral garaging for 2 vehicles and it is considered that a condition is required to prevent the loss of these garages as such loss would result in future pressure for additional built form on the site, which would likely be detrimental to Green Belt. Similarly it is considered necessary to remove permitted development rights for extensions, alterations and outbuildings to enable the Local Planning Authority to assess the impact of such future development on the Green Belt and on the character of the area. The garden areas of the proposed dwellings are not excessive and there will be no significant impact on the character or amenity of the area from the domestic use.

Design and appearance:

The site stands within the wider setting of listed agricultural outbuildings and a locally listed farmhouse. Although the proposed demolition of the existing utilitarian buildings will enhance the settings of these buildings, the design of the proposed dwellings has to be appropriate to the setting of the existing historic buildings.

The barn style of the proposed dwellings is acceptable on balance given the surroundings, and it is considered that they will not adversely affect the setting of the listed buildings.

The retention of a farmyard character with a central courtyard, within which parked cars will be hidden from external view is considered an appropriate form of development.

Neighbouring amenities:

Due consideration has been given to the impact on the amenities enjoyed by adjoining property occupiers in relation to loss of privacy, loss of light and visual blight.

The relative position, orientation and separation of neighbouring dwellings and the proposed are such that no significant harm would be caused to the living conditions of neighbouring occupiers particular in relation to loss of light, privacy and visual blight.

Other issues:

The concerns of the Epping Society and the Town Council have been addressed above with regard to the Green Belt and visual impact. No other objections to the proposal have been received.

Highways

The application was referred to Essex County Council's highways officer who in principle stated that they had no concerns with the proposed development, subject to the imposition of conditions. The proposed development will not increase the use of the access significantly.

Parking

The adopted parking standards require two off street parking spaces for a two or more bedroom dwelling. Suitable off street parking for future residents and visitors have been provided either within the proposed integral garaging or on the hard standing areas in the courtyard area between the dwellings.

Drainage

Council land drainage engineer has confirmed that the site is not located within any of the district flood risk areas however, the applicant has provided a flood risk assessment with the application, and Council drainage officer agrees with the findings in principle. However it is deemed necessary that if permission was granted a condition requiring that the development be carried out in accordance with the flood risk assessment and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

In addition It has been requested that a condition requiring approval of surface water drainage details by the Local Planning Authority prior to development commencing is attached.

Contamination

The application was referred to Council's contamination officer who stated no objections to the proposal although the Phase 1 report that was submitted with the application would need to be updated as it has not identified all the potential risks on the site.

Landscaping

The Council's landscape officer had no objection to the proposal subject to conditions requiring further details in relation to tree protection measures and soft and hard landscaping.

Sustainability

The site is not in a particularly accessible location but nor is it remote. Whilst residents will no doubt be reliant on the private car for most trips, the length of trips will not necessarily be excessive. The development does result in re use of previously developed land and this in itself is more sustainable than development on green field sites.

Conclusion:

In conclusion, the design of the development is acceptable, and the changes to the bulk and massing of the proposal and the orientation of the buildings are sufficient to overcome the previous concern with regard to visual impact on openness. The redevelopment is considered to be appropriate development within the Green Belt and to be in accordance with the NPPF and adopted policies of the Local Plan, and is recommended for approval.

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

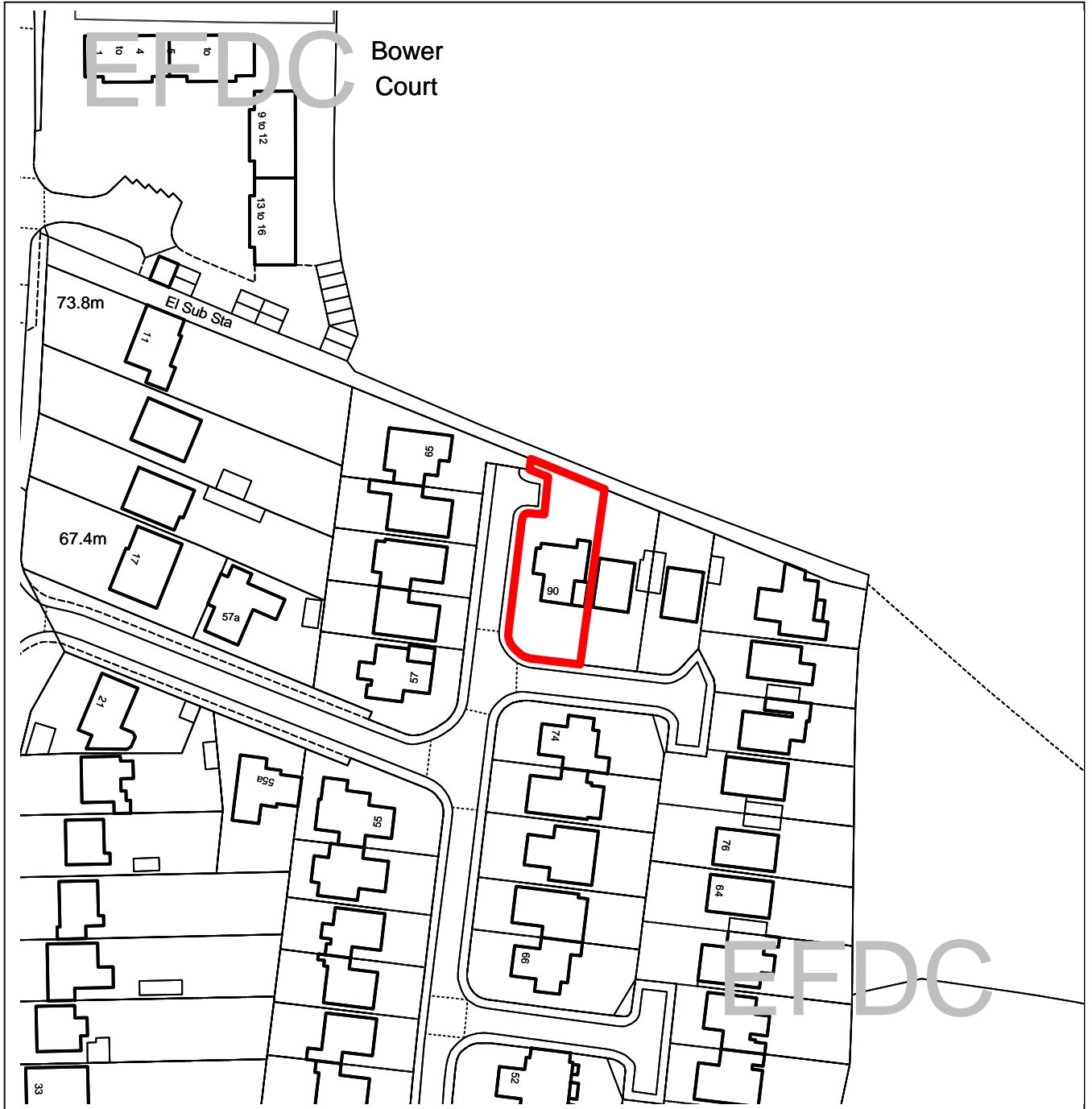
***Planning Application Case Officer: Mrs Jill Shingler
Direct Line Telephone Number: 01992 564106***

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



Epping Forest District Council

AGENDA ITEM NUMBER 10



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

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

Report Item No: 10

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

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

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

CONDITIONS

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

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

Description of Site:

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

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

Description of Proposal:

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

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

Relevant History:

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

Summary of Representations

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

TOWN COUNCIL - Committee object to this application.

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

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

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

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

Policies Applied:

Epping Forest District Local Plan:

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

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

Issues and Considerations:

Background

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

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

Impact on Street Scene

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

Impact on neighbouring amenity

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

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

Other issues

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

Conclusion

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

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

Planning Application Case Officer: Mrs Jill Shinglerr
Direct Line Telephone Number: 01992 564106

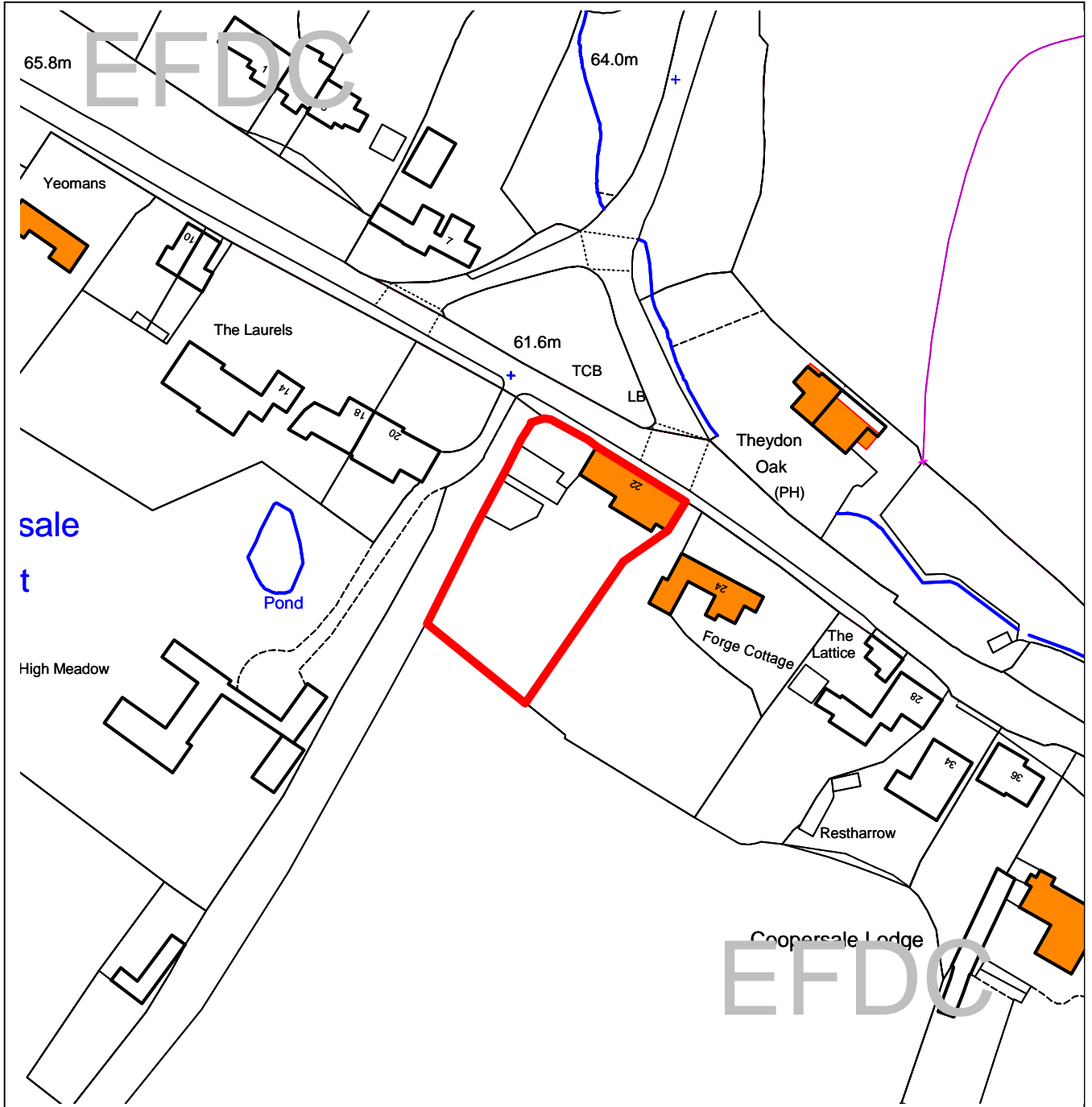
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 11



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

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

Report Item No: 11

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

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

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

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or

establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Description of Site:

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

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

Description of Proposal:

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

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

Relevant History:

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

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

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

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

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

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

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

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

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

Policies Applied:

Local Plan policies relevant to this application are:

CP2 Protecting the quality of the rural and built environment

DBE1 Design of new buildings

DBE2 Detrimental effect on existing surrounding properties

DBE4 Development within the Green Belt
DBE9 Loss of Amenity
GB2A Development within the Green Belt
GB7A Conspicuous Development
LL1 Rural Landscapes
LL2 Inappropriate rural development
LL10 Protecting existing landscaping features
HC6 Character, appearance and setting of conservation areas
HC7 Development within conservation areas
HC12 – Development affecting the setting of listed buildings

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

Summary of Representations:

External

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

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

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

Internal

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

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

Issues and Considerations:

The main issues to be addressed are:

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

Green Belt

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

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

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

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

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

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

Character and Appearance

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

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

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

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

Living conditions of neighbouring occupiers

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

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

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

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

Landscaping

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

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

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

Third party representations

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

Conclusion:

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

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

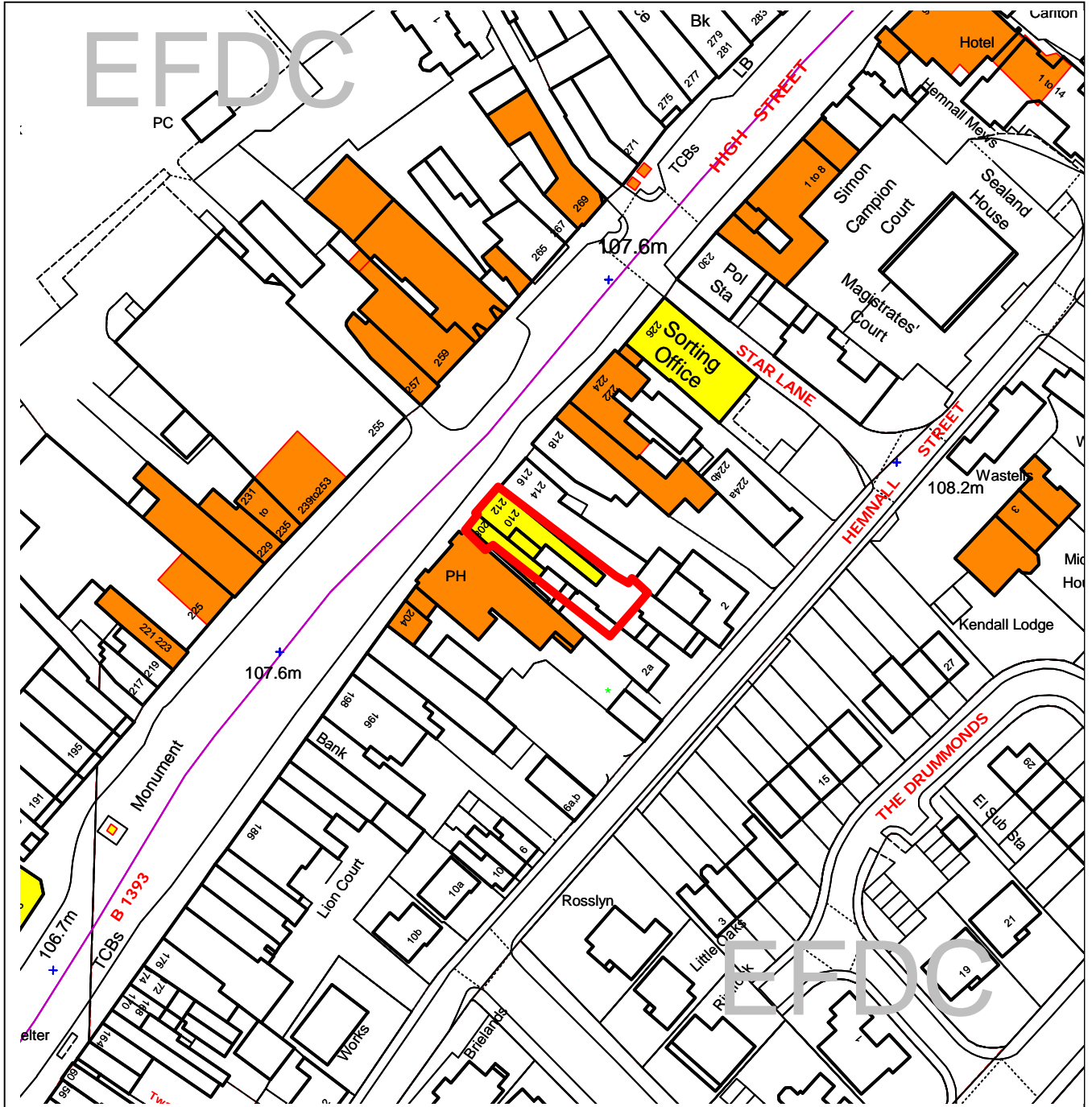
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

AGENDA ITEM NUMBER 12



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

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

Report Item No: 12

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

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

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

CONDITIONS

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

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

Description of Site:

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

Description of Proposal:

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

Relevant History:

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

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

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

Summary of Representations

5 adjacent properties were consulted and a site notice was erected

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

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

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

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

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

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

Policies Applied:

Epping Forest District Local Plan and Alterations
DBE13 – Advertisements

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

The NPPF

Issues and Considerations:

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

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

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

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

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

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

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

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

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

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

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

Conclusion

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

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

***Planning Application Case Officer: Mrs Jill Shingler
Direct Line Telephone Number 01992 564106***

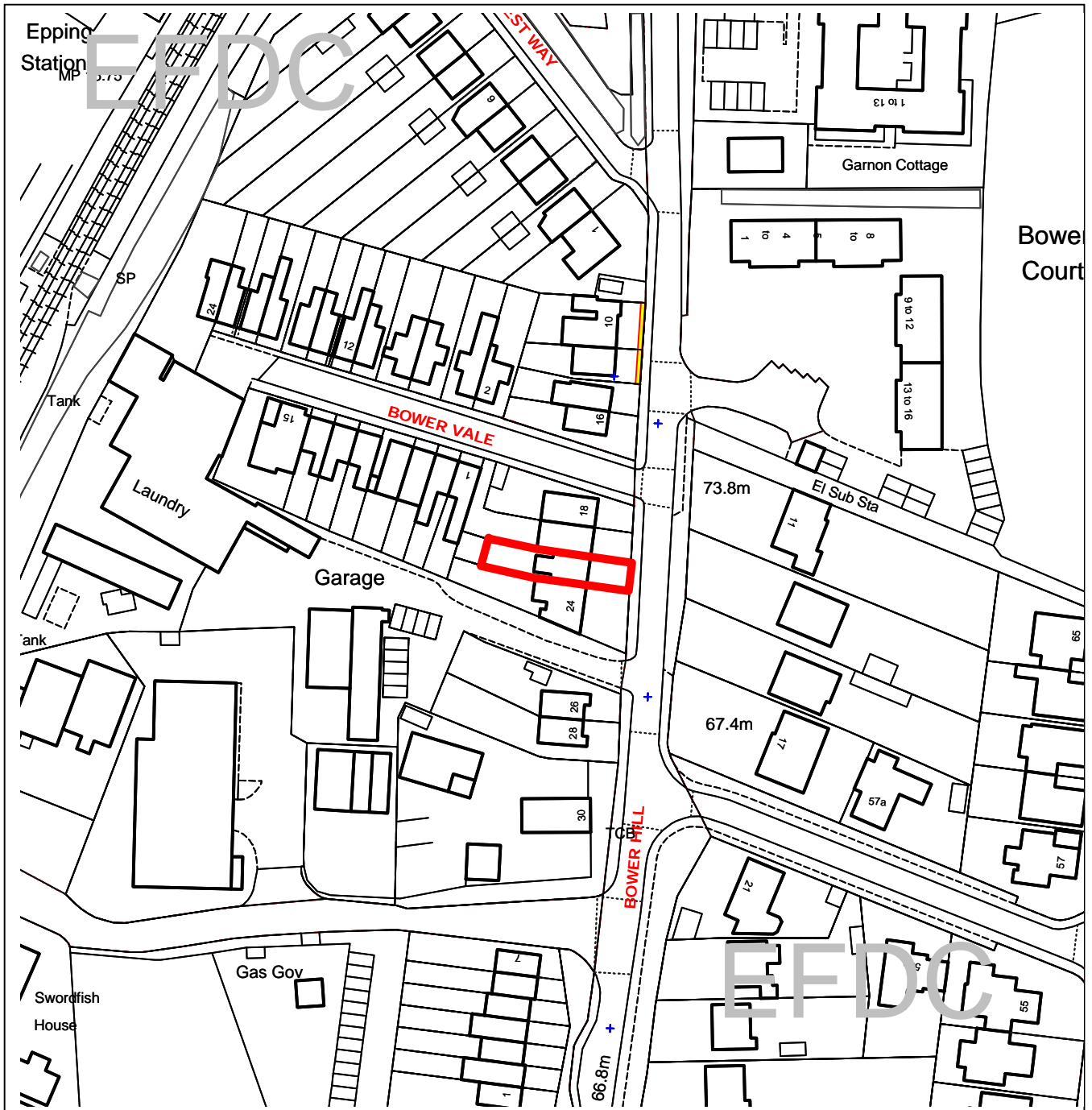
Or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

THIS PAGE IS INTENTIONALLY BLANK



Epping Forest District Council

AGENDA ITEM NUMBER 13



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0871/15
Site Name:	22 Bower Hill Epping, CM16 7AD
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/0871/15
SITE ADDRESS:	22 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr David Lewis
DESCRIPTION OF PROPOSAL:	Creation of parking area to front of property to include a vehicular crossover.
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=575133

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 There should be no obstruction above 600mm in height within a 2m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained as such in perpetuity.
- 3 Prior to first use of the vehicular access it shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 4 There shall be no discharge of surface water onto the Highway.
- 5 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

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 site is located within a built up residential area on a main road into the town of Epping and comprises of terrace style and semi detached period buildings. The site itself is rectangular in shape and it has a modest slope that falls across it from north to south. Located towards the front of the site is a double storey semi terrace dwelling with a small private garden area to the rear. There is no off street parking or vehicle access to the site. The front boundary treatment consists of a brick wall with a gated entrance for pedestrian access. The site is not located within the Green Belt or in a Conservation Area and is not within the setting of any listed buildings.

Description of Proposal:

The applicant seeks consent to create a parking space to the front of the dwelling by laying an area of hardstanding and creating an opening to the front to form a vehicular access onto Bower Hill.

Relevant History:

No relevant history.

Policies Applied:

CP2 - Protecting the quality of the rural and built environment
ST4 - Road safety
ST6 - Vehicle parking
U3B - Sustainable drainage systems
DBE1 - Design
DBE9 - Loss of amenity

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

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: Objection. The proposed crossover is an unsympathetic change that will be detrimental to the visual character of the area. Concern about potential impact on road safety owing to poor visibility looking up Bower Hill.

Issues and Considerations:

The main issues to consider related to road safety/parking and design.

Road Safety/Parking

The site is currently served by no designated off street parking and the applicant hopes to create a space. The Town Council has raised concern about potential road safety issues. The Highways Division at Essex County Council has been consulted and raises no objections to this proposal, subject to appropriate conditions. The Local Authority is advised that subject to the conditions there would be no serious issues with regards to road safety. The lack of height to any boundary treatment would help maintain suitable visibility for pedestrians and motorists and the Highways Authority are content that reasonable visibility exists and that the site splays are adequate.

Design

The Town Council has raised concern about impact on the streetscene from this development. However it is not considered that the part removal of a modern wall and the creation of a crossover would seriously detract from the character of what is a character period property.

Conclusion:

In light of the above appraisal it is considered that concerns expressed have been addressed and that his proposal is acceptable. It is therefore recommended that consent is granted subject to conditions.

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

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

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