

AREA PLANS SUB-COMMITTEE 'EAST'

18 January 2017

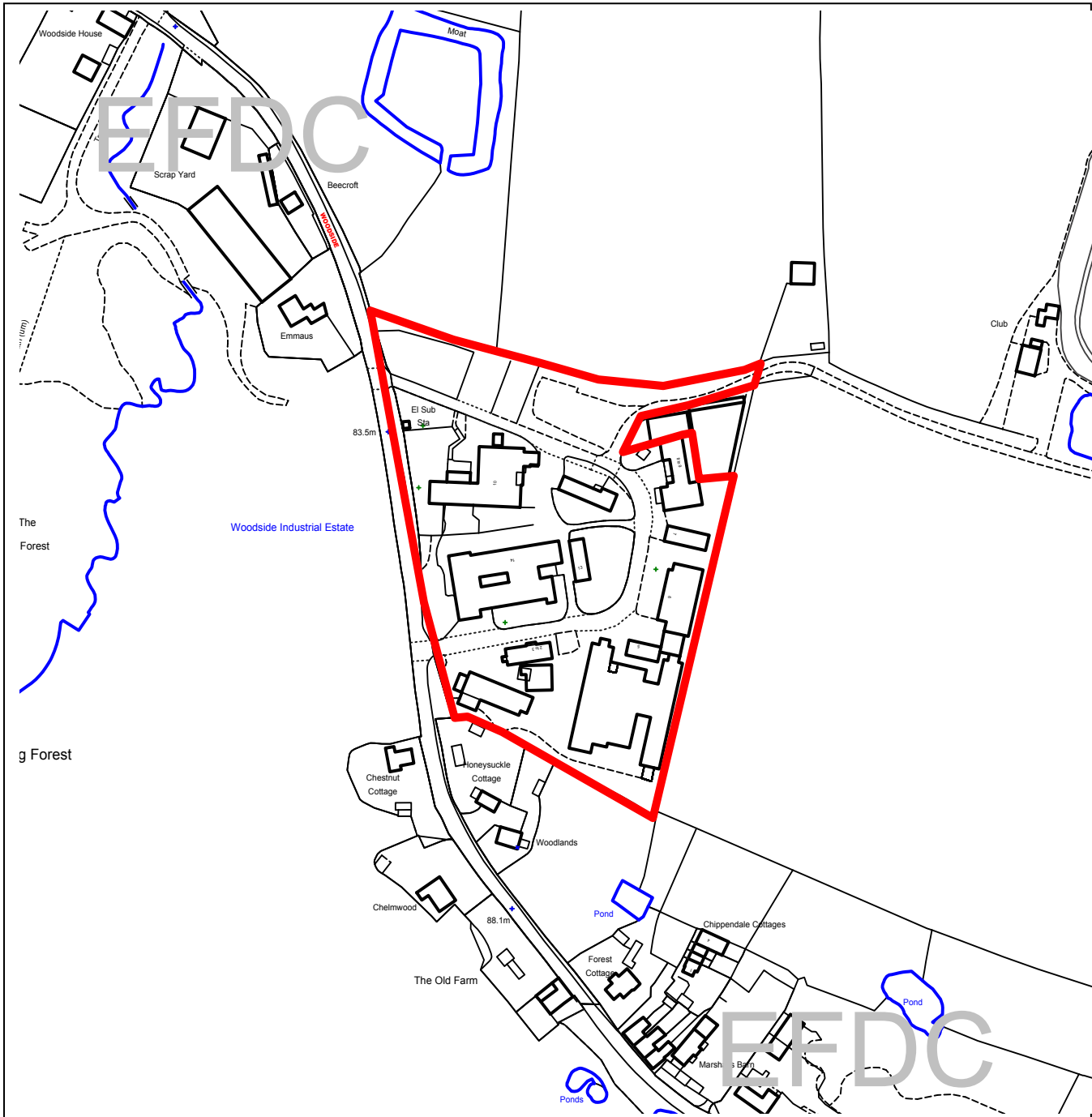
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/3227/15
Site Name:	Woodside Commercial Site, Woodside, North Weald, CM16 6LJ
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/3227/15
SITE ADDRESS:	Woodside Commercial Site Woodside North Weald Essex CM16 6LJ
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	G T Commercial Holdings Ltd
DESCRIPTION OF PROPOSAL:	Outline Planning Application comprising demolition of Units 1, 1a, 7, 8, 9a, 9b, 13 & disused bunker and erection of 5 new units for B1/B8 uses. Infill buildings B1/B8 Use. (Access, appearance, layout & scale to be determined, landscaping reserved)
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=581440

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 6877 PPP1, 6877 PPP1 Rev: C, 6877 PEP1, 6877 PA Rev: A, 6877 PB, 6877 PC Rev: A, 6877 PD, 6877 PE, 915382
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 6 Notwithstanding the submitted information, no development, including works of demolition or site clearance, shall take place until a suitable Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 8 Any tree or vegetation clearance shall be carried out outside the bird breeding season (late February to late August) or an ecologist must undertake a bird breeding survey prior to demolition or clearance. Work may start once the ecologist has submitted a report to the Local Planning Authority confirming that no active nests will be affected by the works.
- 9 The ponds within 250m of the WWII bunker in the southeast corner of the site shall be surveyed for Great crested newts the season before the commencement of the development (mid March to mid June) and a report shall be submitted to and agreed in writing to the Local Planning Authority prior to the commencement of any works. If it is shown that Great crested newts are present then a suitable mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.
- 10 Prior to the commencement of the development a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority outlining the plan for the lighting during and after construction and the development shall be carried out in accordance with the agreed details.
- 11 Prior to the commencement of the development a plan for ecological enhancements regarding bird boxes, bat boxes, and any native planting shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried out in accordance with the agreed details.

- 12 Any vegetation removed from the site shall be done so in stages under ecological supervision to decrease the favourability of the habitat for reptiles.
- 13 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]
- 14 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]
- 15 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]

- 16 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.
- 17 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.
- 18 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: Scheme of Delegation, Appendix 3) 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: Scheme of Delegation, Appendix 3)

This application was deferred from the last Plans East Sub Committee to enable Members to carry out a site visit. The original report is reproduced below.

Description of Site:

Woodside Commercial Site is an established industrial estate located on the eastern side of Woodside just outside the village of Thornwood. The site contains a number of commercial units and several businesses and is served by two access points (one as an entrance and one as an exit).

There are a number of preserved trees on the site, predominantly around the site boundary, with open farmland to the north and east. To the south of the site are residential properties that are part of a small linear settlement along Woodside and opposite to the site to the west is Epping Forest.

The site is located within the Metropolitan Green Belt and an EFDC flood risk assessment zone.

Description of Proposal:

Outline planning consent is being sought with access, appearance, layout and scale to be determined. Therefore the only matter reserved for later assessment is landscaping. Notwithstanding this information and amendments have been sought with regards to tree protection due to the presence and potential impact on protected trees.

The proposed development would involve the demolition of units 7 and 13 and the erection of 5 new B1/B8 buildings indicated on the submitted plans as Buildings A, B, C, D and E.

- Building A would be located along the norther section of the site and would measure a maximum width of 92.4m. This would be staggered (to follow the line of the boundary and ensure the adjacent protected trees are preserved) and would contain 15 two storey units. This building would have a stepped pitched roof (due to the topography of the land) to ridge heights of a maximum of 8.2m.
- Building B would be located on the eastern side of the site and would infill between/in front of existing (retained) buildings. This would measure a maximum width of 54m and would contain 9 two storey units. The building would have a triple ridged roof measuring 8.4m in the central section dropping to 8m on either side.
- Building C would be located in the south eastern corner of the site and would replace an existing bunker. It would measure 10.25m in width and would contain a single two storey unit with a pitched roof to a ridge height of 7.8m.
- Building D would be located within the centre of the site and would measure a maximum of 47m in width. This would be single storey with multiple ridge heights reaching 5m in height and would contain 7 units.
- Building E would be located at the south western corner of the site and would measure 28.6m x 14.8m. It would contain 4 two storey units and would have a pitched roof to a ridge height of 7.8m.

The level of car parking on the site would increase from 66 spaces to 129 spaces. The access to the site and internal road network would be unaltered from the existing situation.

Relevant History:

EPR/0042/51 - Use of existing building as furniture store – approved/conditions 25/05/51

EPR/0153/51 - Use existing building for storage – approved/conditions 26/09/51

EPR/0008/52 - Use of buildings for storage – approved/conditions 23/02/52

EPR/0071/52 - Use existing buildings for storage – approved/conditions 13/06/52

EPR/0029/54 - Use existing premises for engineering – refused 03/04/54

EPO/0264/69 - Change of use to storage – approved/conditions 10/06/69

EPF/0392/74 - Use of part of building for light industrial purposes (assembling of condensing units for commercial refrigerators) – refused 04/09/74

EPF/0738/75 - Proposed establishment of permanent storage use – approved/conditions 01/02/77

EPF/1400/75 - Details of alterations to industrial premises – refused 24/05/76

EPF/0949/79 - Formation of parking area for lorry trailers – refused 10/09/79

EPF/0806/81 - Change of use from Builders Yard (Class 10) to manufacture and storage of Ice Cream (Class 3). Unit 5 – refused 06/07/81

EPF/1016/83 - Replacement storage building – approved/conditions 26/09/83

EPF/0161/86 - Erection of commercial storage building and ancillary offices. Unit 2 – refused 28/04/86 (dismissed on appeal 11/03/87)

EPF/1004/86 - Revised plans for replacement storage building with ancillary offices. Unit 2 – refused 15/09/86

EPF/0718/87 - Replacement storage building with ancillary offices – approved/conditions 21/09/87

EPF/1204/88 - Outline Application for 17 detached houses – refused 26/08/88 (dismissed on appeal lodged 26/6/89)
EPF/0242/90 - Revised application for a replacement storage building with ancillary offices. Unit 2 – approved/conditions 04/06/90
EPF/0508/97 - Single storey extension to office building. Unit 1 – approved/conditions 14/07/97
EPF/0235/98 - Demolition of existing commercial buildings and lean to and replacement with single detached commercial building. Unit 2 – refused 21/04/98
EPF/0926/98 - Demolition of existing buildings and erection of single replacement office and store building. Unit 2 – refused 05/10/98
EPF/0016/99 - Demolition of detached building and erection of new pitched roof single storey building for use as workshop and store. Unit 2 – approved/conditions 16/04/99
EPF/1137/00 - Change of use of industrial/storage unit to childrens day nursery – approved/conditions 15/11/00
EPF/0432/02 - Extension to unit No. 8 and provision of additional unit between unit Nos. 7 and 8 for Class B1/B2/B8 use – refused 31/05/02
EPF/1947/02 - Extension to unit No.8 and additional unit between unit Nos.7 & 8 for B2 use – refused 22/11/02
EPF/0975/03 - Proposed change of use and replacement of pitched roof with flat roof to covered area and small extension to accommodate day nursery. Units 15/15A – approved/conditions 25/07/03
EPF/0169/04 - Erection of first floor extension on existing flat roof storage area. Formation of car park to side of property. Unit 1 – approved/conditions 28/05/04
EPF/0954/05 - Retrospective application for security fencing to vehicle compound – approved/conditions 17/08/05
CLD/EPF/1318/05 - Certificate of lawfulness for use of units 15A & 15B for lorry van, and car parking and storage – lawful 25/10/05
EPF/1805/06 - Security fencing over 2 metres high for security of parking cars, vans and lorries and storage container with temporary roof – refused 23/08/07 (allowed on appeal 04/04/08)
EPF/0170/13 - Demolition of existing store and erection of office building. Unit 9 – approved/conditions 22/03/13

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP6 – Achieving Sustainable Urban Development Patterns
CP8 – Sustainable Economic Development
GB2A – Development in the Green Belt
GB7A – Conspicuous Development
RP4 – Contaminated Land
U2B – Flood Risk Assessment Zones
DBE1 – New Buildings
DBE2 – Impact of Buildings on Neighbouring Property
DBE4 – Design and Location of New Buildings within Green Belt
DBE9 – Amenity
NC4 – Protection of Established Habitat
LL10 – Retention of Trees
LL11 – Landscaping Schemes
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle 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 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.

The site is identified in the Epping Forest District Draft Local Plan Consultation October 2016, as site ELR-0093 – an employment site identified for intensification. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation Carried Out and Summary of Representations Received:

55 neighbouring properties were consulted and a Site Notice was displayed.

PARISH COUNCIL – The Council **objects** to this application due to the following:

- There is a general concern as to how many units are being demolished and exactly where they are situated – it is not clear on the plan.
- Concern at the number of units to be created and also the number of parking spaces.
- It looks as if some of the parking spaces are being created in front of where units have roller shutters – how is access going to be carried out to those units.
- There are currently a lot of problems with parking in Thornwood Common and this increase in units would exacerbate the parking and could mean cars parking on the side roads. This would have a detrimental effect to the safety of residents in Thornwood Common.
- Trees have already been removed from the site without permission.
- The height of some of the proposed buildings – ie one and a half storeys and two storeys – will be overbearing and out of keeping with what is already there.
- This represents an overdevelopment of the site.
- Concern at open air storage.
- The highways report is very alarming, and the Parish Council Members feel that this was undertaken simply as a 'desk top exercise'. Members feel that Highways should visit the site and see their concerns first hand, and also meet with members of the Parish Council and a small number of local residents.

CPRE – **Comment** that there is a need for suitable commercial sites within the district where various businesses can operate in pleasant surroundings to provide local employment opportunities and make a valuable contribution to the economic viability of the area. However hope that high environmental standards are met, the impact on the Green Belt is fully considered as is the impact on Epping Forest. Also comment on drainage, sustainable transport options, highway hazards from deer, air pollution and fast broadband connection.

THORNWOOD ACTION – **Object** to the increased noise, increased road traffic and feel that traffic calming measures should be installed in Woodside.

BEECROFT HOUSE, WOODSIDE – **Object** as they previously successfully appealed to the Traffic Commissioner against a GVOL Variation application to increase the number of permitted vehicles. The site already has full capacity of commercial traffic and the local vehicular concerns are now worse.

6 BRICKFIELD COTTAGES, HIGH ROAD – **Object** as the ECC Highways comments raise no objection on the basis that there would be no increase in use, however there would be 3,219m² net additional floorspace. This will inevitably result in increased traffic and parking requirements. Also the proposal would impact on biodiversity of the adjacent SSSI site.

37 UPLAND ROAD – **Object** due to increase traffic concerns.

13 WOODSIDE – **Object** as Woodside is already a rat-run and more traffic would be unbearable.

UNIT 4C, WOODSIDE ESTATE – **Object** to the number of proposed units, the overdevelopment of the site, the noise and disturbance, the lack of parking provision, highway safety concerns and the environmental impact this would have.

3 CHIPPENDALE COTTAGES – **Object** due to the removal of existing trees, the impact the development would have on surrounding residents, the impact on biodiversity, and the increase in traffic.

2 THE POULTONS, WOODSIDE – **Object** due to increased traffic and the impact on highway safety.

41 DUCK LANE – **Object** as this would be overdevelopment of the site, there are already traffic problems on Woodside, there should be noise restrictions and opening hour restrictions imposed, this may impact on highway safety and the free flow of traffic, and feel that no chemicals should be allowed on the site.

18 FOREST GROVE – **Object** due to increased traffic and as this would impact on the existing parking problems in the area.

CHELMWOOD, WOODSIDE – **Object** due to an increase in traffic, impact on the Green belt, and due to the presence of protected trees.

CEDAR COTTAGE, WOODSIDE – **Object** as two storey units would be out of character with the site, this would result in more traffic, and no adequate provision has been made for extra parking on site.

THE OLD FARM, WOODSIDE – **Object** due to the impact on the Green Belt, the size of the building would increase their visual impact, as this would result in increased traffic, and due to parking concerns.

44 DUCK LANE – **Object** as this would impact on highway safety.

42 DUCK LANE – **Object** as this will lead to an increase in traffic, is in the middle of the forest and would result in increased pollution and environmental damage, and due to the impact on trees.

29 DUCK LANE – **Object** as this would lead to an increase in traffic.

BEE HOUSE, WOODSIDE – **Object** as parking and deliveries will become even more congested and will lead to overflow onto the road.

NO ADDRESS GIVEN – **Object** to the increase in traffic.

UNIT 14J, WOODSIDE ESTATE – **Support** the application as this will provide much needed business units on a well maintained small industrial estate.

10 WOODSIDE CAMP (CHILDRENS DAY NURSERY) – **Support** the application as it will enhance the site and provide a smarter landscape.

55 FENTON GRANGE – **Support** the application as it creates more jobs and opportunities in the community.

UNIT 4G, WOODSIDE ESTATE – **Support** as this is a much needed renovation.

UNIT 14B, WOODSIDE – **Support** as this will benefit the site and all that work around this area.

UNIT 6C, WOODSIDE ESTATE – **Support** as this is a well-run site and occupants have been kept up to date throughout the process.

UNIT 6B, WOODSIDE ESTATE – **Support** and welcome additional units, however would like to ensure that there is enough parking provided on site.

UNIT 4F, WOODSIDE ESTATE – **Support** as this will create more jobs and encourage small businesses to developed within the local area.

UNIT 4A, WOODSIDE ESTATE – **Support** as this will improve the appearance and use of the site.

UNIT 4, WOODSIDE ESTATE – **Support** as this would improve and establish the site.

UNIT 14C, 14D AND 14E, WOODSIDE ESTATE – **No objection** as this will enhance the area and the local economy.

THE BEEHIVE, WEST STREET, GRAYS – **Support** the application as it would enable them to locate a site within Epping Forest which they have been seeking for some time. There is currently nothing else suitable available in or around this location regardless of cost.

UNIT 16, WOODSIDE ESTATE – **Support** the application as there is a lack of available commercial space in and around Epping and this would provide greater availability and affordable rentals for new and growing businesses.

UNIT 8, WOODSIDE ESTATE – **Support** as this will improve the existing site and will provide additional employment opportunities.

8 WOODSIDE BUSINESS PARK – **Support** as the existing premises on the site are not fit for purposes and the proposed development will benefit the site, the local economy, community and employment prospects.

UNIT 14A, WOODSIDE ESTATE – **Support** as this will provide more job opportunities for local people.

UNIT 5, WOODSIDE ESTATE – **Support** as this will be beneficial and improve employment in the area.

Main Issues and Considerations:

Whilst the submitted application is for outline planning consent all matters except landscaping (with the exception of tree protection) are to be determined. As such everything except the provision of new landscaping is currently under consideration.

The proposed development would create additional employment units within a long established industrial estate and therefore would create additional employment opportunities and would be economically and socially sustainable. Furthermore several current occupants of the site, along with interest business representatives, have expressed support for the proposal as it would provide additional commercial accommodation to meet the identified needs within the District. These factors weigh in favour of the development and should be given significant weight in the application.

It should also be noted that the site is identified in the Draft Local Plan Consultation as site ELR-0093 – an employment site identified for intensification. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

The key considerations in this application are the impact on the Green Belt, highways safety and parking considerations, impact on surrounding residents, the design and visual impact of the proposal, the impact on protected trees, and the impact on biodiversity.

Principle of development in the Green Belt:

The application site is a long established commercial site that has been in use for several decades. As can be seen in the planning history various commercial uses and developments have been approved since as early as 1951. As such this site would clearly constitute previously developed land as defined within Annex 2 of the National Planning Policy Framework.

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

- *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 key consideration in this exception to inappropriate development is whether the proposal constitutes a 'limited infilling' or a 'partial or complete redevelopment' of the site. Whilst the proposal would involve some demolition/replacement of existing buildings the proposed new units would be situated within the confines of the existing industrial estate and surrounded by existing (retained) buildings. As such it is considered that the proposed development would constitute 'infill'.

Since it is almost impossible to provide infill without having a greater impact on the openness of the Green Belt it is not considered that the last sentence of this exception caveats 'limited extensions'. Nonetheless the proposed buildings would be contained within the confines of the existing, historic industrial site and would be viewed within the context of the existing, retained buildings. Therefore whilst the proposal would result in increased built form on the site this would have a relatively minor physical impact on openness and as such it is considered that the proposal would not constitute inappropriate development within the Green Belt.

Whilst only limited weight can be given to the Draft Local Plan and no spatial options have yet been identified for employment sites within this document the application site is identified within the Draft Local Plan as an 'employment site identified for intensification'. This should be given some, albeit limited, weight in favour of the proposal.

Highway safety/parking:

One of the key concerns of surrounding neighbours is regarding highway safety and traffic impacts. The application has been assessed by Essex County Council Highways who have responded stating that *"from a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it 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"*.

Concern has been raised by neighbours since the informative on this states *"the site benefits from existing accesses which provide good visibility and geometry onto Woodside and as the proposal is only to modernise the site and not increasing the amount of use, there will be little if any*

highway impact" (my emphasis). However as is evident in the proposed submission there will be some 3,219m² of additional commercial space added to the site. Following these comments a discussion was held with the Highways Officer highlighting that there would be additional commercial units provided on site. Nonetheless, given the existing one way system and quality of the existing access points to the site it is still considered that the proposal would not raise any objections in terms of highway safety or the free flow of traffic on Woodside.

The Essex County Council Vehicle Parking Standards recommends a maximum of 1 space per 30m² for B1 use buildings and 1 space per 150m² for B8 use buildings. Since the proposal would result in an undefined net increase of 3219m² the maximum parking provision for the site would range from between 22 to 108 off-street spaces. It is proposed to provide an additional 63 spaces, which raise the existing 66 parking spaces that currently serve the 3420m² of existing B1/B8 use on the site to 129 spaces.

As can be seen above the current off-street parking provision on the site is 1 space for every 51.8m² of B1/B8 use and the proposed development would largely retain this by providing 1 space for every 51.5m² of B1/B8 use. Since this figure lies between the two stated recommendations, both of which are maximum standards, it is considered that the level of off-street parking provision proposed is acceptable in this instance.

Neighbouring Amenity:

The only immediately adjacent neighbouring residents to the site are Honeysuckle Cottage and Woodlands, with Chestnut Cottage being on the adjacent side of Woodside. The closest new building to these properties would be Building E, which would replace an existing part single storey/part two storey structure and would measure a maximum height of 7.8m with a shallow pitched roof pitching away from the adjacent neighbours.

This building would be located a minimum of 3.6m from the shared boundary with Honeysuckle Cottage and over 28m from the closest point of the neighbouring dwellinghouse. Given these distances and the presence of the existing preserved boundary trees it is not considered that this building would cause any significant adverse impact on the amenities of the neighbours.

All other proposed new buildings would be located within the existing industrial estate well away from any surrounding neighbours. Whilst the provision of additional units would result in an increase in vehicle movements and activity on the site, given the long established and extensive existing use on the site it is not considered that this increase would create any excessive additional harm as a result of noise or general disturbance.

Design:

The proposed new buildings would range in height and be a maximum of two storeys with shallow pitched roofs. They would be utilitarian and industrial in design similar to the existing buildings already on the site. Whilst some of the proposed building would be slightly higher than the existing structures on the site the new buildings would be viewed within the context of the established industrial estate and in large parts would be well screened by existing trees and vegetation. Therefore the overall visual appearance of the development is considered to be acceptable.

Landscaping:

The proposal has been revised throughout the life of the application as a result of discussions with the Councils Tree & Landscape Officer. This has involved buildings being reduced in size in order to ensure adequate separation from preserved trees and the reduction and reconfiguration of the works to the south eastern corner to provide a single unit (instead of two as originally proposed) with no parking or roadways situated directly under the preserved trees in this part of the site.

Subject to a condition regarding tree protection, which would include the requirement to design any car parking under trees in a way to minimise impact to rooting areas, it is concluded that the proposal would be achievable without detrimental harm to or loss of existing preserved trees.

It has been highlighted by neighbours, and is known to the council, that some trees have been taken down on site recently, however none of the removed trees were subject to tree preservation orders and therefore these works were undertaken lawfully. Nonetheless, given the proposed development and additional built form that would result on the site it would be necessary to re-establish specific tree planting throughout the site following the loss of numerous good specimens in recent months and to assist in softening and screening the proposed development. However since landscaping is the only matter reserved in this outline application this matter is not under consideration in this application and would subsequently be dealt with at Reserved Matters stage.

Ecology:

The application is accompanied by an Ecological Survey that has been assessed by the Councils ecological officer. Subject to conditions there are no objections in respect of ecology.

Other considerations:

Land Drainage:

The development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. Therefore a flood risk assessment is required, which can be dealt with by way of a condition. The applicant is proposing to dispose of surface water by main sewer however the Councils records do not indicate a surface water sewer at this location. Therefore further details are required regarding surface water drainage, which can be dealt with by condition.

Contaminated Land:

Due to its former use as a military site and current use as an industrial estate there is the potential for contaminants to be present on site and therefore the contaminated land conditions are necessary.

Conclusion:

In light of the above it is considered that the proposed development would constitute the 'limited infill of a previously developed site' and would not have a greater impact on the openness of the Green Belt. Therefore the proposal would not constitute inappropriate development within the Green Belt. In addition the development would provide additional purpose built commercial units within an existing, well established industrial estate, which would assist the Council in providing adequate employment sites to meet an identified need.

The key concerns from neighbouring residents are regarding highway safety and parking provision, however no objection has been received from Essex County Council regarding access and sufficient off-street parking provision would be made in line with the current provision on site. The revised plans adequately address any concerns regarding the impact on preserved trees and the proposed new units would not have a significantly adverse impact on the amenities of neighbouring residents or the character and appearance of the area.

Due to the above it is considered that the proposed 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:

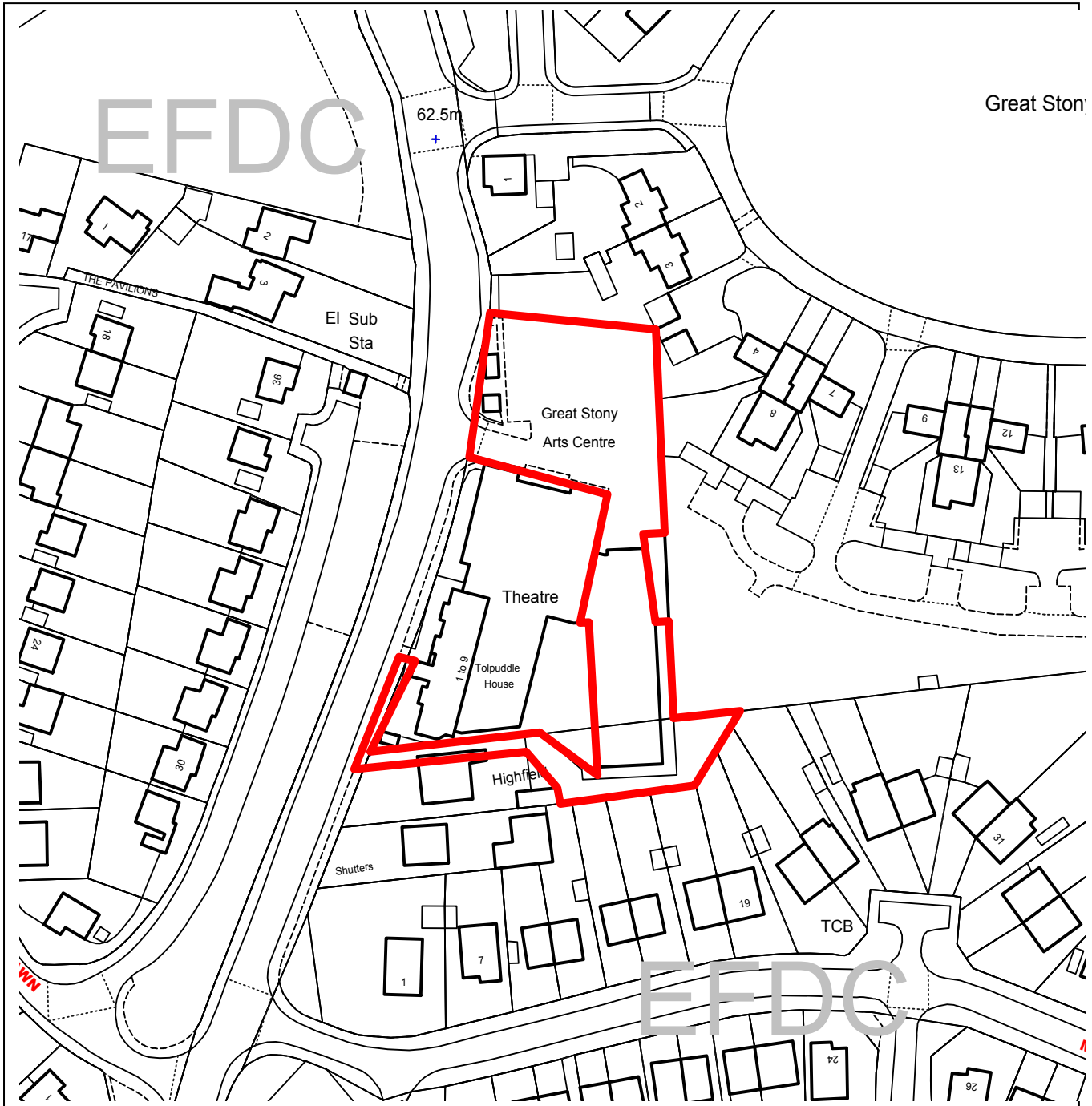
Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2357/16
Site Name:	Zinc Arts, High Street, Ongar, CM5 0AD
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2357/16
SITE ADDRESS:	Zinc Arts High Street Ongar Essex CM5 0AD
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Zinc Arts
DESCRIPTION OF PROPOSAL:	Change of use of 'overnight stay' block to non-self contained studio flats with use of facilities shared with community arts centre.
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=587393

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: 1720/1 - 4 inclusive, 5A, 6 and 7A
- 3 At least one of the residents communal rooms shown on the approved plans shall be available solely for residents use upon first occupation of the accommodation hereby permitted. The second communal room shall thereafter be provided, along with the external link canopy within 6 months of first occupation, unless otherwise agreed in writing by the Local Planning Authority. Communal facilities shall thereafter be retained in accordance with the approved details for the duration of the use.
- 4 Residents parking bays indicated on drawing 1720/7A shall be marked with resident parking signage prior to first occupation and shall thereafter be maintained as such for the duration of the sue.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

This application was deferred from the last Plans east Sub Committee to enable members to carry out a site visit and for clarification about the Use Class of the development, and for additional financial information.

The original report is reproduced below and any further information will be reported verbally at committee.

Description of Site:

Zinc Arts Centre occupies the former Great Stony school buildings on the east side of the High Street. Buildings comprise a mix of single and two storey elements; the original building comprises a mix of community and arts uses including teaching/workshop rooms, nursery, café and reception. There have been significant extensions to the originally including a theatre, additional rooms for centre activities and two x two storey residential blocks to the south; a frontage block managed and let by East Thames Housing Association for supported living and the application block at the rear. A car park lies to the northern end of the site comprising around 50 spaces.

The site is located within a primarily residential section of the High Street. Great Stony Park, the residential community to the north and east, lies behind a gated access to the north. The site lies within the Great Stony School Conservation Area and within the Green Belt.

Description of Proposal:

The application relates to the rear of the two storey residential blocks which was built originally as an overnight accommodation block for people involved with activities at the centre. The accommodation is best described as being resembling modern budget en-suite hotel rooms comprising a bed, chair and desk and a number have wet room facilities in the bathrooms. A separate accessible bathroom is currently provided at ground floor and there are 25 rooms served off a central corridor.

Permission is sought for minor adaptations to be made to the building and to use it for more general housing. Each of the 25 rooms will be provided with a galley kitchenette. Residents facilities will include two lounges or activity rooms, one on the ground floor of the building replaces the current accessible bathroom and a second in the rear of the main building accessed from the rear via a laundry room available to all residents – a canopy is shown linking the two elements. Main access to the building will be from the courtyard area via a side access around the frontage block.

Nine parking spaces within the main car park are identified as being allocated for residential occupiers.

It should be noted that the application has been amended to remove reference to the variation of a section 106 agreements that limits use of the buildings on the site to purposes connected with community arts or ancillary purposes. This was included in the application description (see consultation responses below) but has been removed both for procedural reasons – a section 106 agreement cannot be amended as part of a planning application and requires a separate application for alteration – and for further review of whether amendment is in fact required. The applicants have advised that their preference is not to amend the agreement.

Relevant History:

The previous use of the site ceased in the 1990's. The residential buildings in Great Stony park were separated from the wider site and converted to houses under application EPF/1561/97, the section 106 agreement referred to above was attached to this permission.

Applications specifically relating to the arts centre use comprise:

- EPF/1627/98 Change of use of land and buildings from school/playground to arts and education centre with car park, plus minor external alterations - approved.
- EPF/1859/08 The demolition of existing outbuildings and small area of single storey rear addition to main arts centre building and new extensions to provide fully wheelchair accessible additional teaching rooms, multi purpose studio, overnight stay accommodation, dining facilities, supported housing (9 flats), cycle and car parking spaces, gardens and new vehicular access from the High Street - approved.

Policies Applied:

CP1	Achieving sustainable development objectives
CP2	Quality of Rural and Built Environment
GB2a	Development in the Green Belt
GB8a	Change of use or adaptation of buildings
GB16	Affordable housing
CF12	Retention of community facilities
DBE9	Loss of Amenity
ST6	Vehicle parking

NPPF 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.

Consultation Carried Out and Summary of Representations Received

Date of site visit: 04 November 2016
Number of neighbours consulted: 42
Site notice posted: 04 November 2016
Responses received: 29 objections have been received and one response supporting the proposals. Objections have been received from the following locations (Ongar addresses unless otherwise identified)::

- Great Stoney Park – 3, 5, 9, 13, 18,20 and 55.
- Great Lawn – 4, 15, 19, 23 and 34
- High Street – Braeside, Woodbine Cottage, 75 and 1,2 and 5 Highfield Place
- Bowers Drive – 30
- Fyfield Road – 59
- London Road – 135
- Mayflower Way – 28 & 39
- Roding View – 9
- Rodney Road – 2
- The Pavilions – 3
- Victoria Road – 3

In addition, 7 Torrells Hall Cottages, Shellow Road Willingale and Queen Anne Cottage, Greensted Road, Greensted.

The letter of support is from occupier of 9 Fairbank Close, Ongar.
Objectors have raised the following issues:

- Objections to the variation of the s106 agreement – residents were concerned that this

affected other properties bound by the legal agreement and would remove any control on the use of the land for general housing. Comment – as referred to above, the issue of the s106 agreement is no longer part of the application and is being addressed separately. The legal matters do not affect Members abilities to determine the planning merits of the case.

- Parking – some residents comment that parking at the centre is inadequate at peak times and the introduction of residential parking would exacerbate the issues.
- Amenity issues, around potential noise disturbance from occupiers within the building and, particularly in relation to the adjacent flats to the south, from the new access to the accommodation.
- Green Belt and Conservation Area issues – residents question the suitability of the development in the context of the site falling within both and what impact the development has on the overall character of the area..
- Appropriateness and character of the use – objectors raise issues around the nature of the accommodation, in terms of the standard of the units in terms of housing standards, conflicts with other activities on and users of the site and the nature of the use which some have referred to being akin to a hostel.
- General accessibility issues – concerns are raised as to whether the location is accessible for the model of car capped development effectively being proposed and the implications thereof for future residents.
- Loss of original site concept – some objections refer to the concept of the centre and how this may be affected by the loss of the existing facilities for specialist courses and the impact a more intensive residential use has on the arts centre function.
- Viability of concept – a number of objectors raise concerns at the viability of the model being proposed by the applicants – in particular is there a genuine demand amongst the target groups for units of the size proposed and what happens if the concept does not attract the level of occupation envisaged.
- One objector, understood to be a former officer at the centre has specifically queried the applicants submission on the financial case.

The submission in support of the application comments that the site is close to the town centre and requires only minor works which will have limited impact, the scheme is supported for providing low cost homes in a secure environment.

Parish Council: Ongar Town Council objected to the application with regard to the variation of the S106 agreement; the Committee made no other comments on the scheme. In the light of this element having been removed from the application, officers consider the Town Council have no objection.

Main Issues and Considerations:

The applicants have submitted that the current proposal is the culmination of an extended period of review of the operation of facilities at the site. They advise that under the terms of the funding received to improve the facilities including building the residential elements, their current repayment and interest free periods end in March 2017 and the Trust finds itself currently in a position where this funding will have to be serviced if the centre is to remain operational. Failure to adequately address this may have implications for the continued existence of the centre. Efforts to meet these requirements are somewhat hampered by the general financial climate in which the centre operates whereby it has seen a reduction in its broader funding as a result of the loss of grant aid in recent years being experienced by all in the sector. The lack of success of the present use (the annual occupancy of the facility is around 16%) has also meant that it has not generated the income that was originally modelled and was anticipated may contribute to the servicing of the ongoing financial demands. Funding has now been secured to carry out the adaptations referred to in the application but it should be noted that this is time limited will cover only minimal adaptations to the building.

In developing the current proposals the Trust have considered a range of options for more viable uses. These have included discussions with the Council, County Council, charities and housing providers over a range of options including, other leisure related occupation, care facilities and specialist supported housing without success.

The Trust have established a community interest company to manage the property if the use proceeds. The Chair of the Trust will also act as Chair of the new company (Group 12) and a number of board members will sit on both boards. Day to day management will be linked in to the Arts Centre's present management – a duty manager is on the site at all times while the centre is open and external agents deal with out of hours issues. A detailed tenancy agreement has been prepared, based on a model used by East Thames for the frontage units. The applicants state their view that the tenancy agreement introduces additional controls of residential tenants that are not available to them under the current use.

As Members are aware, financial considerations can be treated as material to planning decisions. While one objector argues that the financial model put forward by the applicants may be resolved by other means (for example restructuring the debt in light of financial conditions to seek to secure further charge free periods), such alternatives are not before Members, nor is there any evidence this is achievable. Officers consider that the applicants financial arguments should be acknowledged and given due weight, including concerns as to the future of the centre if alternative resource cannot be generated.. It is broadly acknowledged that arts funding has declined over a number of years and that facilities such as this must look at increasingly varied means of generating income to meet future costs. The existing use of the building does not generate sufficient revenue to justify its retention and alternative uses should be considered if they contribute to the overall viability of the community uses.

As to the use itself, there would appear no obvious reason to object to the principle of a residential use of this nature within the building. While the site is within the Green Belt boundary, it is close to the town, capable of use without major adaptation and does not have a materially greater impact on the Green Belt; thus it is consistent with policy GB8a subject to amenity and parking considerations below. The alterations to the building have no physical impact on the Conservation Area.

In wider amenity terms, officers have had regard to the similarities between the existing and proposed. There is no increase in the number of rooms overall, and the existing use permits occupiers to be resident at all times of the day and night. The addition of basic facilities to the rooms and the loss of the direct link to users of the centre (notwithstanding the Trust's intentions to encourage residents to participate in their activities by offering discount vouchers for use in the centre) will make only limited changes to the potential pattern of occupation. While activity will inevitably increase given the low occupancy of the building at present, this is a result of the lack of success of the existing model rather than anything connected to the character of the use. It is therefore difficult to argue in land use terms that the nature of the proposed use is so far removed from what is currently permitted to justify that residential amenity will be substantially harmed.

Similar arguments arise over issues of parking in that the existing accommodation use shares the car park with other uses in the centre. There is nothing in particular to suggest that those who would currently use the building are any more or less likely to rely on a car than those who may occupy the building in the future. Allocating a parking area for residential occupiers takes a realistic approach to the need to manage the site.

A number of objections refer to the standard of accommodation, both in terms of housing standards, local need and accessibility. While issues around need are to some degree market led, the offer would appear to be unique in the area and would provide accommodation which local agents have advised there is demand for. The applicants advise that as a result of publicity for the

scheme, they have also received expressions of interest. The site is no more or less accessible than any other part of Ongar town centre; local bus services link to other parts of the District and beyond. The units are not designed to meet national housing standards, but are aimed at a different market to permanent dwellings to which these standards are usually applied and any assessment on this issue would be misleading. The individual units provide a reasonable standard of facilities for individuals and communal spaces are available to residents as well as access to the centres facilities and activities.

Conclusion:

Officers consider that the financial circumstances of the centre are a significant factor in the development of the proposals and as a result the consideration of the application. The prospect that the arts and community use may not be able to survive without the income generated by this use is in your officer's view material and provides unique and special circumstances in determining this application.

In terms of considering issues around the potential impact of the change of use, Members should have regard to the differences between the existing permitted use and the proposal and not be unduly affected by the current levels of activity. In this regard, the existing building contains the same number of rooms that could lawfully occupied 24 hours a day by occupants who may have access to vehicles that they wish to park on site. In this context, the changes are minor and do not in officers view amount to a significantly more intrusive use.

It is evident that the key to allaying neighbouring resident's fears is that the accommodation is adequately managed. Assurances are in place in that there are links between the arts centre Board and the community interest company established to manage the accommodation and that day-to-day management will be directly linked. Members can be further assured that the continued interest of the arts centre are best served by good quality management of the whole site.

Members should also note that approving the planning application does not directly affect the existing section 106 agreement relating to the broader use of the building. This remains the subject of ongoing discussions and if it is concluded that the s106 agreement requires revision, this would need to be the subject of a separate application.

It is recognised that the issues in this case are finely balanced. A direct comparison between a fully operational use suggests that there are limited difference between the uses that in land use terms are not sufficient to argue that the use is unacceptable , and do not outweigh other arguments in favour of the application in terms of the diversity of the housing stock and the financial considerations for the centre.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

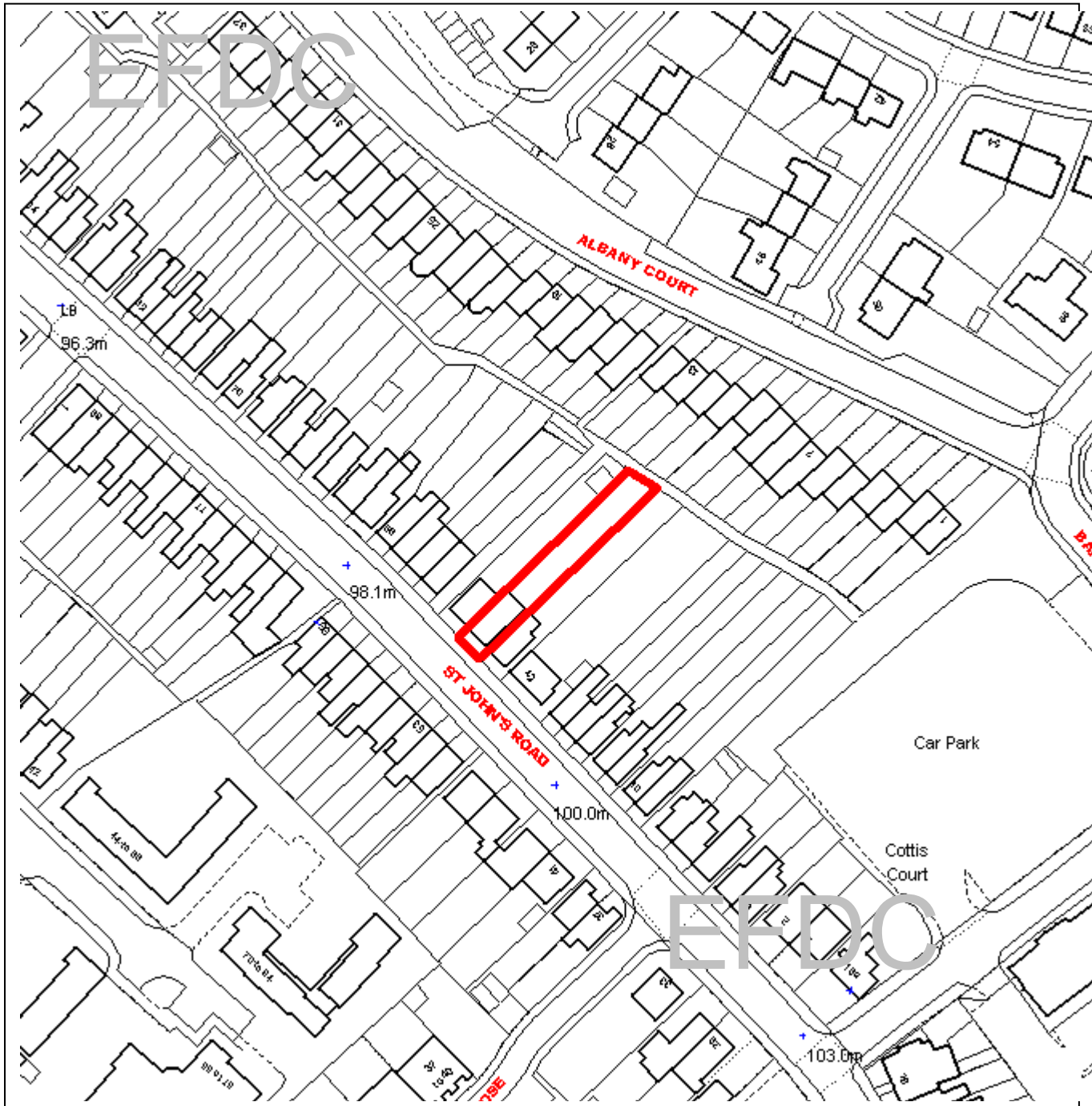
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Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/2436/16
Site Name:	46 St Johns Road, Epping, CM16 5DP
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2436/16
SITE ADDRESS:	46 St Johns Road Epping Essex CM16 5DP
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mrs Mary Kenny-Moth
DESCRIPTION OF PROPOSAL:	Single storey rear extension (Revised application to EPF/1599/16).
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=587697

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 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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: Scheme of Delegation, Appendix 3)

This application was deferred from the last Plans East Sub committee to enable members to carry out a site visit.

The original report is reproduced below

Description of Site:

The application property comprises a semi detached three storey dwelling on the eastern side of St Johns Road. It currently has a 2.5m deep single storey rear extension. Number 44 has 2.5m deep (approx.) two storey projection close to the mutual boundary with the application property. Number 48 has no extensions close to the boundary with the application site.

Description of Proposal:

Permission is sought for a single storey rear extension which measures 5.9m deep by 5.2m wide and 2.57m high to its flat roof. This extension will replace the existing single storey rear extension.

Materials include red facing bricks, powder coated aluminium double glazed fenestration and the roof will be covered in a glass reinforced plastic seal.

Relevant History:

Planning permission was refused under reference EPF/1599/16 for a single storey extension.

Policies Applied:

National Planning Policy Framework
National Planning Policy Guidance

Combined Policies of Epping Forest District Local Plan (1998) and alterations (2006)

DBE9: Loss of amenity

DBE10: Residential extensions

Consultation Carried out and Representations Received

EPPING TOWN COUNCIL: The proposed extension will cause loss of amenity for the neighbouring property in terms of sunlight and visual impact. The design and layout of the adjacent house and garden will result in an unsympathetic change due to its height, materials and length.

Relevant policies CP7, DBE2, DBE9 and DBE10.

5 letters were sent to occupants of adjoining and nearby properties. 1 objection was received.

The occupier of 48 St Johns Road objects on the following grounds.

Because my house is on the side of a hill, from the end of their existing extension, the ground floor rises 12" on my side of the fence therefore meaning I have to go up 2 steps into my garden.

The existing extension already stops the light and sun from getting into my kitchen and although there is a wooden fence between my property and that of 46 light and air does enter my garden.

With a brick wall I would be in the shade particularly as the sun goes around the right of my property. Not to mention the fact the proposed extension would be longer than the existing one.

My property is on 3 levels, kitchen in a semi-basement and lounge, dining room on the first floor.

The view from my lounge will be impaired and instead of looking at beautiful mature trees and

greenery I will be looking at a grey flat roof. Property value may also be affected. If the existing extension was replaced like for like I would have no objection.

Main Issues and Considerations:

The key considerations for the determination of this application are the impact of the proposal will have on the character and appearance of the area and neighbouring residential amenity.

Paragraph 39 of the Planning and Compulsory Purchase Act requires that the Local Authority must seek to achieve 'good design'. Policies contained within the National Planning Policy Framework define what 'good design' is.

Paragraph 58 of the NPPF requires that decisions should ensure that development will add to the overall quality of the area as well as respond to the local character, history and reflect the identify of local surroundings.

This application is a revised application following a previously refused scheme under reference EPF/1599/16 The previous application was refused on the grounds that

"The proposed extension due to its height, depth and position close to the boundaries of the site would neither complement nor enhance the existing building. It would also have a detrimental impact on the living conditions of the adjoining neighbour at 48 St Johns Road, through the proposal's overbearing appearance and the resultant loss of outlook to this neighbour. The proposal is therefore contrary to the requirements of Chapter 7 of the National Planning Policy Framework along with policies DBE9 and DBE10 of the Combined Policies of Epping Forest District Local Plan and alterations 2008."

The amendments include reducing the depth of the extension from 6.3m to 5.9m and reducing its height from 2.8 to 2.57m.

The proposed extension will not be visible from the street scene or wider surrounding private realm beyond numbers 44 and 48 St Johns Road.

The application property is three storeys high. Whilst the extension still remains larger than the existing single storey rear extensions in close vicinity of the application site, it is below maximum limitations allowed by the government under the prior notification of larger extensions scheme. (Number 17 St Johns Road has had approval for a 6.5m deep extension under reference EPF/0781/15). Furthermore the reductions in height and depth ensure that the first floor Victorian window ledge will not be concealed or removed by the development. This height is now the same as that of the existing single storey extension currently in situ.

Plans are therefore considered to now to be sufficiently changed to ensure that the proposed extension appears as a subsidiary feature in relation to the three storey host building. It will therefore have a neutral impact on the local distinctiveness of the area and as such complies with the requirements of chapter 7 of the NPPF and policy DBE10 of the Local Plan.

Impact on neighbour amenity

Number 48 St Johns Road is north of the application site. The nearest window at number 48 serves a kitchen. There is a 1.8m fence on the boundary of the site, above which is a trellis and hedging. The garden at number 48 is currently significantly overgrown with trees. The height of the extension is the same as that of the existing extension therefore it will be mostly screened by the existing boundary treatment between the two properties, where there are gaps in the hedging it will

rise up around 700mm above the fence. It is therefore considered that the actual loss of light and sense of enclosure created by the proposal to number 48 St Johns Road would not be excessive.

The proposal will extend 3.4m beyond the existing two storey rear extension at number 44 St Johns Road. The proposal will therefore not have a significant impact on the amenities of this neighbour in terms of light, outlook or privacy. The proposal therefore accords with the requirements of policy DBE9 of the Local Plan.

Other matters

Loss of view and loss of property value are not a material planning considerations.

Conclusion

The proposal has a design which complements the appearance of the application building and will have a neutral impact on the character and appearance of the area and impact on neighbouring residential amenity is not so excessive as to justify refusal of the scheme, approval is therefore recommended.

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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

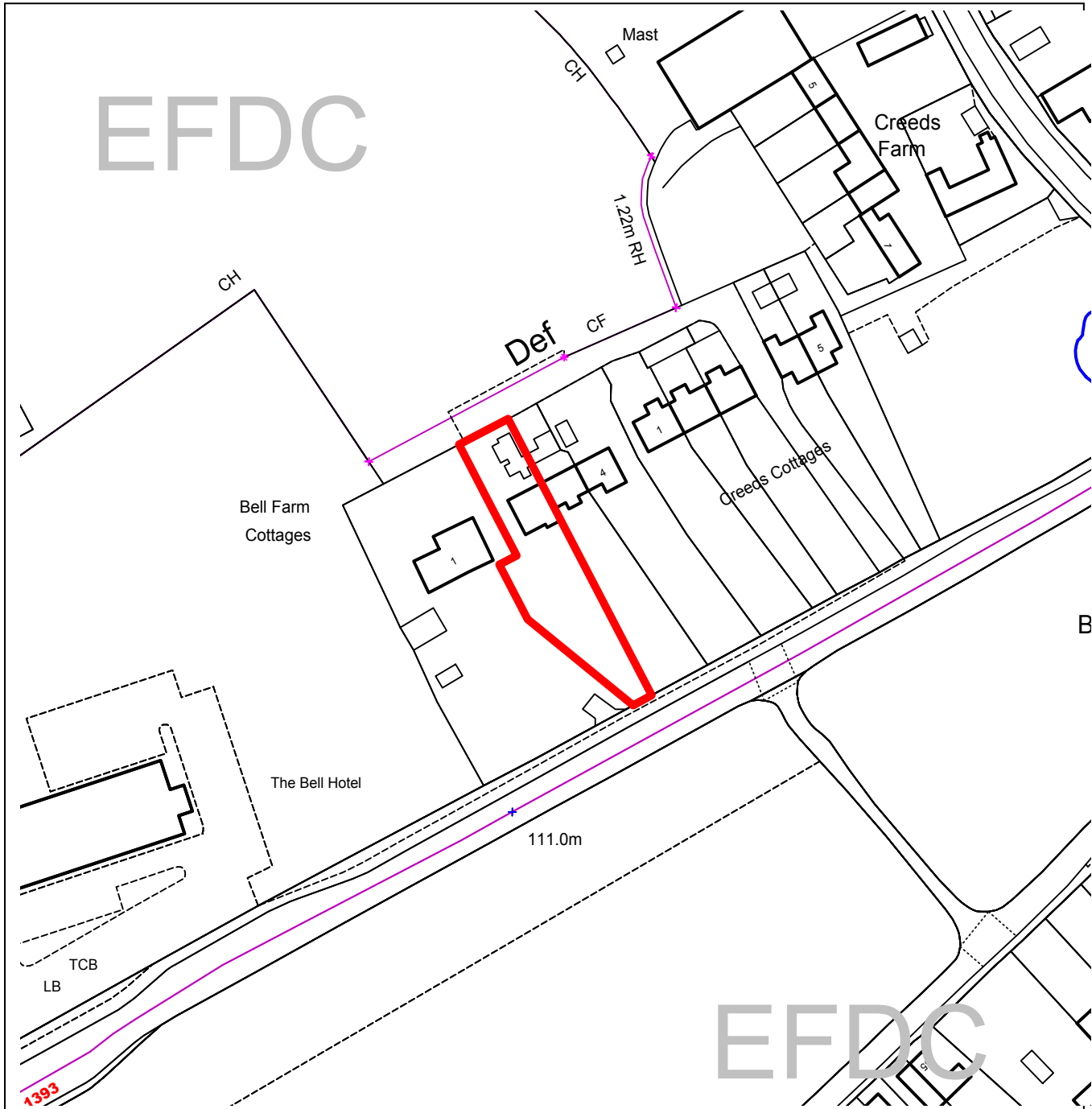
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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2532/16
Site Name:	2 Bell Farm Cottages, High Road, Epping, CM16 4DF
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2532/16
SITE ADDRESS:	2 Bell Farm Cottages High Road Epping Essex CM16 4DF
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr R Bedell
DESCRIPTION OF PROPOSAL:	Demolition of outbuilding roof. Increase outbuilding wall height by 300mm. Construct new roof on new external walls with a similar roof pitch. Replace garage door with glazing and instal a glazed gable end on the front elevation . Install mezzanine floor in outbuilding with spiral stair access. Install conservation flush rooflights on north east elevation.
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=587935

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.

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: Scheme of Delegation, Appendix 3)

Description of Site:

Bell Farm Cottage is a two storey property located on the north side of the High Road on the edge of the built up area of Epping, the property backs onto open fields. It is located within the Bell Common Conservation Area and the Metropolitan Green Belt. 2 Bell Farm Cottages is part of a row of three two-storey terraced properties that were built as Estate Workers Cottages and date

from the 1950's. To the east are two further groups of terraced properties and to the west is a detached property

Description of Proposal:

Raising the height of the external walls by 300mm and reconstructing the roof to the same pitch. to enable use of existing garage as a studio. The design of the scheme has been amended in the course of the application to remove originally proposed side dormer windows and to improve the fenestration and detailing.

Relevant History:

EPF/0379/08 - Side, front and rear extensions and alterations with demolition of existing outbuildings for provision of new garage.

EPF/0971/09 - Two storey rear extension with side canopy, alteration to windows and detached garage.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
GB2A – Development within the Green Belt
GB7A – Conspicuous development
DBE9 – Loss of amenity
DBE10 – Residential extensions
HC6 – Character, Appearance and Setting of Conservation Areas
HC7 – Development within Conservation Areas
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

8 neighbouring properties were consulted and a Site Notice was displayed.

EPPING SOCIETY – Excessive arm to the openness of the Green Belt.

PARISH COUNCIL – Object. Inappropriate development within the Green Belt and detrimental to the character of the conservation area.

Main Issues and Considerations:

The main issues with the proposal relate to the impact on the Green Belt and the character and appearance of the development within the conservation area.

Green Belt:

The National Planning Policy Framework states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt”, however provides a list of exceptions to this. This includes:

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*

The dwelling has already benefitted from a substantial extension and the erection of the garage. The raising of the roof by 300mm could be considered ‘proportionate’ to the original garage and would be a limited extension to an existing building, in line with the National Planning Policy Framework, and would not therefore be inappropriate development. The use of the garage for purposes ancillary to the dwelling house does not require planning permission, it is only the alterations to the building that are under consideration here.

Design and Conservation Area:

The proposed roof extension to the garage would not add excessive bulk to the outbuilding. The proposal has been revised in line with Conservation Officers comments in order for the design to complement the conservation area with conservation roof lights to reduce any additional bulk and the glazed gable end has been introduced to reduce the residential appearance of the outbuilding. The materials and design are appropriate to the Conservation Area location.

Other issues.

Due to the relatively small increase in height and the position of the building well away from the rear elevations of the adjacent properties and with no overlooking windows there will be no harm to adjacent residential amenity.

Although the proposal results in the loss of a garage there is ample remaining car parking space within the application site to meet current standards.

Conclusion:

Whilst the proposed extensions would result in a small increase in the size of the original outbuilding it is a proportionate addition to an existing building and not inappropriate development. It will not cause any significant harm to the Green Belt. The amended scheme is of a suitable design such that it will not harm the character of the Conservation Area. There will be no harm to neighbouring amenity and the application complies with adopted policies and the NPPF 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:

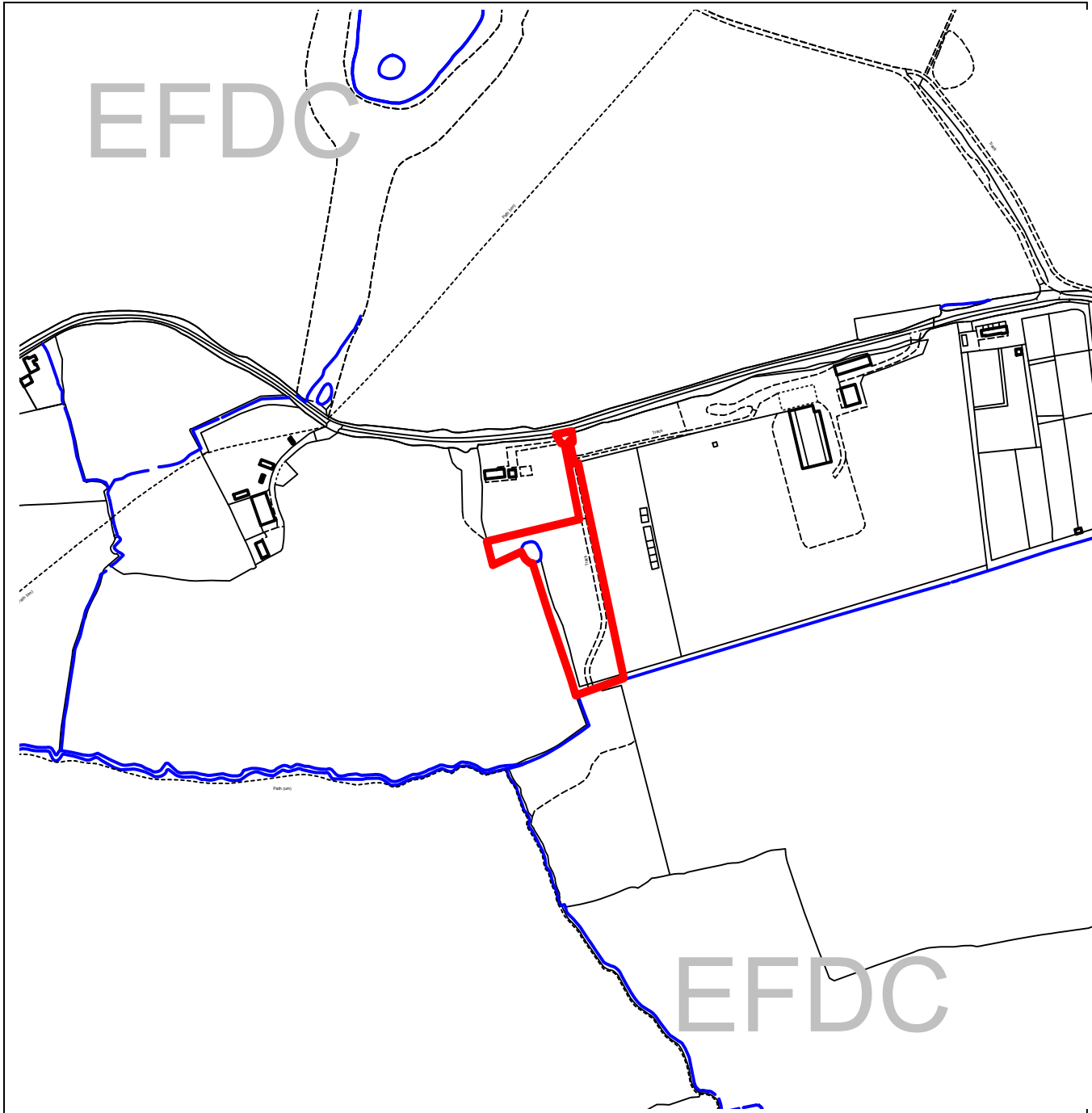
***Planning Application Case Officer: Corey Isolda
Direct Line Telephone Number: 01992 564380***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/2709/16
Site Name:	Norton Field Farm, Norton Lane, High Ongar, CM4 0LN
Scale of Plot:	1/5000

Report Item No: 5

APPLICATION No:	EPF/2709/16
SITE ADDRESS:	Norton Field Farm Norton Lane High Ongar Ongar Essex CM4 0LN
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Ian Chisholm
DESCRIPTION OF PROPOSAL:	Change of use of agricultural land to camping and touring caravan site, erection of toilet and shower block building, construct passing place along existing track and implement landscape planting.
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=588454

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 number: PDB/16/217/02A and three drawings numbered PDB/16/217/05 comprising Toilet Block Plans and Elevations, Shepherd Hut plans and Elevations (Sleeping) and Shepherds Hut Plans and Elevations (Dining).
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes to the toilet and shower block 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 Prior to the commencement of development, details of all measures in the installation of electric points within the site for use by any caravan, hut tent, yurt or other similar facility shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented as approved and no additional electric points or cabling shall thereafter be installed within prior consent from the Local Planning Authority.

- 5 No development shall take place until details of foul drainage to the toilet and shower block, shepherd hut ensuite facilities and touring caravan pitches, including details of related groundworks, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 No development shall take place until details of the landscaping of the site, including retention of trees and other natural features and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.
- 7 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 8 No more than 30 pitches, of which no more than 10 shall be for touring caravans, shall be provided within the site without further consent from the Local Planning Authority.
- 9 All caravans, huts, yurts, tents and other accommodation on the site shall only be for holiday accommodation and shall not be used so as to provide permanent accommodation for any occupiers.
- 10 The site shall not be used for the purposes hereby approved at any time between 1st December and 1st March in any years. During this period, no touring caravans shall be permitted to be kept on the site and all huts, tents, yurts or similar structures shall be removed from the site unless otherwise agreed by the Local Planning Authority.
- 11 No additional hardstanding areas not indicated on the plan number PDB/16/217/02A hereby approved shall be constructed on any part of the site without prior consent 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: Scheme of Delegation, Appendix 3)

Description of Site:

Norton Field Farm lies to the south of Norton Lane in a single track section of the road. The site has a road frontage of around 400metres and has two vehicles access to Norton Lane located towards either end of the frontage. The application site lies towards at the western end of the site and is located behind the dwelling which in the north-west corner of the site. The land the subject of the application is served from the same access as this and currently comprises an open field with a number of movable animal shelters thereon used in connection with a seasonal duck egg business operating on the wider site. . Buildings served by the eastern site access and located more centrally include a number of uses including the egg business, a micro brewery, office space and a building for which permission was granted in September 2016 for flexible uses within B1 and B8 uses.

The site is wholly within the Green Belt in an area where no other built development is located within at least 400m in any direction.

Description of Proposal:

The application relates to an area of around 0.85 ha effectively to the rear of the dwelling and seeks to change the use of the land from agricultural use to use for camping and touring caravans. Access to the camping ground will be from the existing access serving primarily the dwelling and on existing hard surface route through the site.

One permanent building is proposed, a single storey weatherboarded block of around 29 sq.m floor area comprising showers, toilets and a laundry/slucice room located adjacent to the site boundary. The plans show nominally 10 pitches for touring caravans positioned adjacent to the access road. Other accommodation would comprise purpose built 'shepherd hut' buildings that would include sleeping huts with ensuite facilities and communal dining huts, nominally shown as aa maximum 10 sleeping and 2 dining huts (although his would be the maximum over a period of time – the applicant is intending to have only two or three commissioned in the first instance to test demand), and 11 pitches are shown for tent/yurts, the latter described in the application as ' sled mounted permanently framed but movable structures', of which it is envisaged initially that around 5 will be in use at any one time initially.. No hardstandings are proposed, caravans and vehicles would be sited on grassed areas.

Reference is made to electric points for caravans but no details are supplied, nor are details of proposals for drainage connections to shepherd hut ensuite facilities although both matters can be conditioned if required. The application also indicates enhanced landscaping particularly around the site perimeter.

Relevant History:

None relevant to this application

Policies Applied:

CP2	Quality of Rural and Built Environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development
RST1	Recreational, sporting and tourist facilities
RST32	Leisure caravans and camping
DBE9	Loss of Amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

ST4 Road safety
ST6 Vehicle parking

NPPF 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.

Consultation Carried Out and Summary of Representations Received

Date of site visit: 28 October 2016
Number of neighbours consulted: Seven
Site notice posted: 28 October 2016

Responses received: Two objections have been received.

WYTHAMS, CHELMSFORD ROAD - comments 'Considerable concern as to change of use with the proposed use out of character with landscape of open fields with agricultural use & the site being very visible .It could be open to misuse & permanent residential use liable to attract undesirable residents .D2 is so wide a use any consent would need to be very restricted. The approach lane is too narrow for caravan & trailer on a regular basis & obstruction to farm traffic serving surrounding farm land'

YEOMANS,CHELMSFORD ROAD -comment: 'we are very concerned about the impact on a mostly single track road to this site. It can be dangerous at the best of times, we walk this road most days, so are fully aware of the impact to walkers, cyclists and transport having to reverse on meeting other vehicles. It's not the site in question, it's all the safety aspects.

PARISH COUNCIL: High Ongar Parish Council wish to object on the grounds of lack of sustainability, difficult vehicular access to the site and would not improve the environmental situation (p65 of draft local plan)

Main Issues and Considerations:

The application falls to be considered on issues relating to emerging tourism policy, it appropriateness within and impact on the Green Belt, impact on the surrounding area, highway and traffic issues.

National planning policy recognises the value that tourist accommodation brings to the local economy and local policy is adapting to reflect this. The emerging Local Plan is supportive of sustainable development of the visitor economy, including provision for visitor accommodation in all forms. Consultants for the Council (Hotel Solutions) reported in August 2016 that across the District there were 4 caravan and camping sites and no sites providing camping pods or 'glamping' facilities (now recognised as specific visitor accommodation provision). In addition, no new visitor accommodation had been provided in the last 7 years. The report identifies an overall lack of visitor accommodation in the District, a market for enhanced facilities, including those being proposed in the application and identifies areas within reach of existing facilities such as Epping Forest as desirable locations for such uses.

Green Belt policy recognises outdoor recreation as an appropriate use in the Green Belt and therefore regards some ancillary buildings thereto as being appropriate provide they preserve openness and do not conflict with the purposes of including land in the Green Belt. The proposals involve minimal interventions into the site, the only permanent building is relatively small and is

located on the edge of the site and all other structures both motorised and otherwise will be of temporary nature, being situated on grassed areas only. In light of the site area, the level of site coverage will be minimal, such that the open character of the land within the Green Belt would not be compromised.

Objectors and the Parish Council raise issues of vehicle access and officers do acknowledge that Norton Lane is narrow with limited passing places. However, it is evident that it is suitable for heavy vehicles to use with other buildings on the site and other nearby sites being serviced by large vehicles. There is nothing to suggest that a use of this nature would generate such a level of vehicular activity to constitute a hazard to either pedestrian or vehicular safety, a view supported by the Highway Authority. Comments that the proposals are not sustainable are difficult to support; the site is readily accessible to cyclists and there is a local footpath network crosses Norton Lane within 200 metres of the site entrance. Given such uses are best located in more rural locations, this would in its context appear to be a very sustainable location.

Conclusion:

All local evidence points to a lack of tourist accommodation of this type across the District. Recognition of the benefits of providing such facilities is recognised as being of benefit to the local economy and the emerging local plan takes a positive approach to providing such facilities in line with national policy.

Recreation uses are appropriate in the Green belt and the level of built development proposed (permanent and temporary) is not considered to have an adverse impact on the character of the Green Belt.

While most visitors are likely to travel by car, the site is close to a public footpath and in a location suitable for cyclists; the overall level of vehicular activity could not be considered intrusive or excessive such that it may be considered a hazard to highway safety. The site also remains remote enough not to raise concerns at potential disturbance in the surrounding area.

Officers therefore recommend that the application be approved subject to conditions particularly limiting the number of pitches available to allow review in the event the use is so successful an expansion is required, a restriction on hard surfaces and a requirement to remove the shepherd hut and yurt / tent structures in the close season to allow the land to recover (which the applicant has indicated they would agree to).

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:

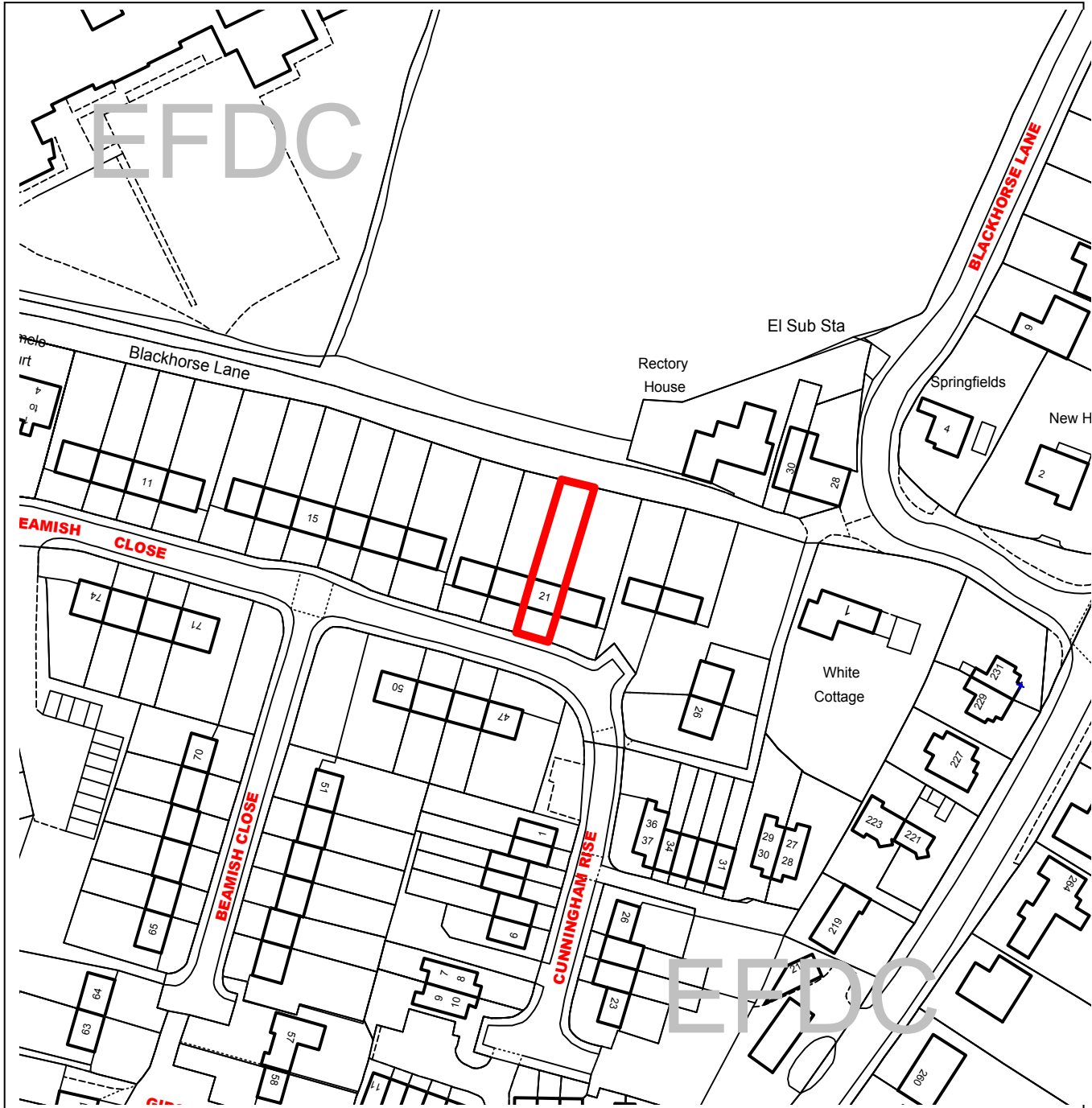
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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Agenda Item Number 6



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Application Number:	EPF/2716/16
Site Name:	21 Beamish Close, North Weald, CM16 6JN
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2716/16
SITE ADDRESS:	21 Beamish Close North Weald Essex CM16 6JN
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mrs T Ives
DESCRIPTION OF PROPOSAL:	Part single storey and part two storey rear extension and front porch
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=588494

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.

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: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is terraced house located on Beamish Close, within the built up area of North Weald. The site is not within the Metropolitan Green Belt or within a conservation area.

Description of Proposal:

The application is for the erection of a part single storey part two storey rear extension and a front porch. The rear extension has been revised in the course of the application and reduced from 5.85m in depth to 3.5m in depth and stretches the entire width of the property. The first floor element would also project 3.5 metres out to the rear of the property but only have a width of 4 metres. No side facing windows are proposed. The single storey element of the extension would have a flat roof with 2 roof lights whilst the first floor element would employ a hipped roof, in

keeping with the original property. The porch will be similar to those of neighbouring properties with a pitched roof.

Relevant History:

None

Policies Applied:

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

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

Consultation Carried Out and Summary of Representations Received:

6 NEIGHBOURING PROPERTIES CONSULTED – 2 OBJECTIONS RECEIVED

20 BEAMISH CLOSE – The proposal will have an excessive impact on amenity and is too close to the boundary

22 BEAMISH CLOSE – The proposal will have an excessive impact on amenity and access to light on the first floor and is too close to the boundary

The neighbours were reconsulted on the revised reduced plans and the following response was received-

20 BEAMISH CLOSE - The rear extension looks too close to our boundary with no detailed measurements given. We would like to see a clear measurement of this. We would like to see a maintained distance away from the boundary

22 BEAMISH CLOSE – Although the scheme has been reduced to 3.5 metres deep the proposal is still on the boundary between our properties. This will cause maintenance issues as the 500mm access gap will be removed. The first storey element will block light from the first floor bedroom window and cause issues with damp.

PARISH COUNCIL – Object. Overdevelopment and will have an adverse impact on neighbouring amenity. Concern at the proximity of the extension in relation to the neighbouring boundaries. Concern at blocking neighbours access to light.

Main Issues and Considerations:

The main issues to be considered relate to the impact on the character and appearance of the building and the street scene and neighbour's amenities.

Design:

The proposed extensions would increase the overall bulk and scale of the dwelling. However, both No.19 and No.22 Beamish Close have benefitted from two storey rear extensions and the proposal

would be similar in design to these. As such it is not considered that the design of the extension would be unduly detrimental to the character and appearance of the area. The proposed front porch is well designed and proportionate and similar to others in the area and as such is appropriate to the street scene and the dwelling itself.

Amenities:

The proposed single storey extension would be situated on the shared boundaries with neighbouring properties; whilst this will have some impact on amenity, due to its relatively low roof height (2.65m) and limited depth it will not cause excessive harm to neighbouring amenity. The first floor element of the extension will be set 2 metres away from neighbouring boundaries; this will allow both neighbours to receive a sufficient amount of light to habitable rooms, and rear amenity space and will not have an excessively overbearing impact on amenity. Whilst concern has been raised regarding loss of light to rear facing bedroom window at number 22, given the distance to this window and the orientation of the property the impact of the extension will be minimal.

Other Issues:

Both the Parish Council and neighbours have voiced concern about the distance of the proposal from shared boundaries.. Under the General Permitted Development Order (2016) No. 20 would be able to extend the property along the shared boundaries without needing planning consent. There is no policy requirement to set development away from boundaries and maintenance is not a material planning consideration.

Conclusion:

Whilst the proposed extension would be on the neighbouring boundaries of No.20 and No.22 Beamish Close, it would not be dissimilar to the permitted development 'fallback position'. Furthermore several other properties within the area benefit from significant extensions.

The proposal would not be unduly detrimental to the character and appearance of the area or the amenities of the neighbouring residents and as such complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies. 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:

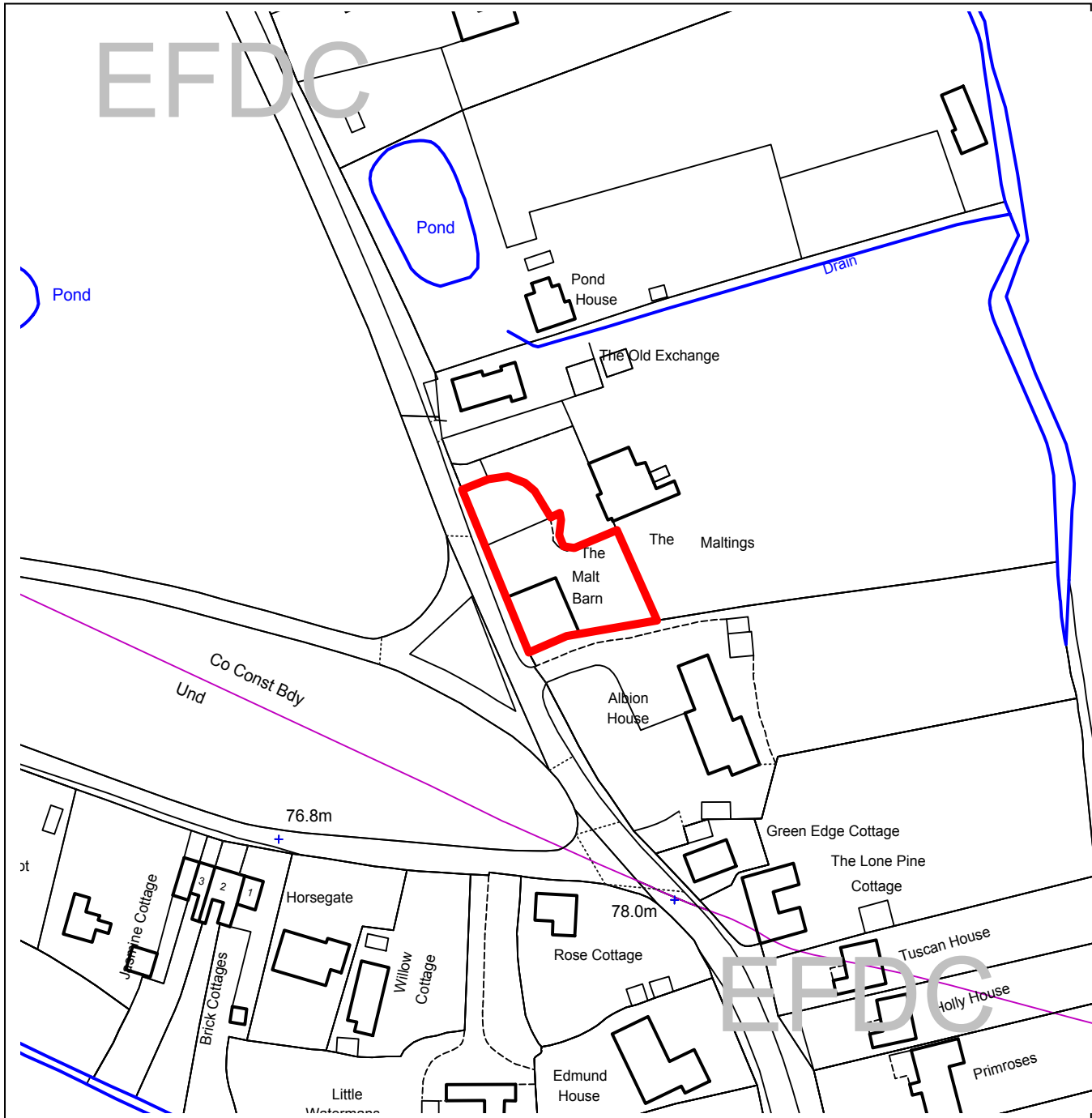
***Planning Application Case Officer: Corey Isolda
Direct Line Telephone Number: 01992 564380***

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Agenda Item Number 7



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Application Number:	EPF/2782/16
Site Name:	The Malt Barn, Matching Green, Matching, CM17 0QE
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2782/16
SITE ADDRESS:	The Malt Barn Matching Green Matching Harlow Essex CM17 0QE
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Richard Porter
DESCRIPTION OF PROPOSAL:	Ground floor rear extension, two storey rear extension and internal alterations.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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=588724

REASON FOR REFUSAL

- 1 The proposed part single storey and two storey extension by reason of its depth, bulk and scale would result in an overbearing and dominant addition detracting from the character and appearance of both the host dwelling and surrounding conservation area contrary to policies DBE10, HC6 and HC7 of the Epping Forest District Council Local Plan (1998) and alterations (2006).

This application is before this Committee since it would otherwise have been refused under delegated powers by the Director of Governance but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(I))

Description of Site:

The Malt Barn is a converted barn adjacent to the highway of Matching Green which formed part of a larger barn of which much has been demolished. The Malt Barn is located forward of the established building line of The Maltings which is a large detached dwelling and within the setting of the grade II listed building Albion House a 17th century dwelling.

The detached dwellings and associated outbuildings surrounding the Green are arranged irregularly although with most immediately fronting the Green. The architectural style of the dwellings within the area differs greatly providing a distinctive character to the Matching Green Conservation Area.

Description of Proposal:

Planning permission is sought for the erection of a part single storey, part two storey rear extension which measures 7.025m wide and projects 3m from the existing additions to the rear of the dwelling. The single storey element includes a pitched roof which will be integrated with the half pitch of the existing single storey addition to be extended. A pitch roof is also included in the two storey element which extends the existing first floor addition. The extension would be constructed from a mixture of weatherboarding and red brick to match the existing. The proposed fenestration would match the existing configuration.

The changes to the previously refused application (EPF/0159/16 – see history below) is a reduction in depth of the extension by 500mm and changes in the proposed materials which would include a mix of weatherboarding and brick to match the existing.

NB: Revised drawings have been submitted purely to regularise the situation relating to the design of the western elevation which had been incorrectly drawn originally and did not reflect the current design of the dwelling which would remain the same when viewed from the green.

Planning History:

EPF/0891/74 The Maltings – planning permission was granted to rebuild the barn to provide off street parking.

EPF/1058/99 The Maltings – permission granted for the renovation of the outbuilding (the barn) and the erection of a garden store. Alterations to the barn included the erection of a rear extension (subject to alteration in this application) the extension of the existing roof structure and alterations to the existing carport canopy to create an annex to The Maltings. The outbuilding was conditioned for ancillary use.

EPF/0027/08 The Maltings – Permission refused for the separation of the barn to be used as a separate dwelling but subsequently allowed on appeal. The inspector also it acceptable to allow the conversion of the existing carports to residential use effectively creating a separate two bedroom dwelling house now known as The Malt Barn

EPF/0159/16 – Malt Barn - Permission refused for a part single storey, part two storey rear extension. The proposal was refused on the grounds that its depth, bulk and massing failed to relate to the original form of the Malt Barn resulting in an over development of the host dwelling. The proposal would result in an overbearing and dominant addition out of keeping with the surrounding Green Belt, Conservation Area and setting of a grade II listed building and contrary to policies DBE1, DBE10, GB2A, GB7A, HC6, HC7, HC12 of the Epping Forest District Local Plan (1998) and alterations (2006) published 2008.

Comments and representations:

Surrounding neighbours have been notified and a site notice was erected.

Matching Parish Council - The Parish Council SUPPORTS this application as it does not interfere with the amenities of any neighbouring property and is well secluded.

Three letters of objection have been received by neighbouring occupiers. These are summarised below:

ALBION HOUSE – OBJECTION – Impact on trees on the boundary; separating wall not shown on plans – is this to be removed or retained? Very little light involving areas of ground floor which could mean a future application for windows overlooking our property which we would object to vehemently; Historical print in Design and Access Statement misleading; further development would be detrimental to site and conservation area; realignment of living quarters could be done without further extension.

THE OLD TELEPHONE EXCHANGE– OBJECTION – Outline of the planning history on the site; internal re-arrangement of rooms has taken place; barn doors to west elevation has been

removed; window added to north elevation overlooking our property; further decrease in visual aspect enlarging the existing two storey rear extension dominating the skyline; the application is overdevelopment in the green belt and within a conservation area contrary to policies DBE9, GB7A and HC6 and HC7.

ROSE COTTAGE– OBJECTION – since permission for building to become a house the garden room has been converted to a bedroom and the barn doors to the west elevation are shown to be removed; Malt Barn in its present form already dominates the skyline more than the old barn used to and obliterates view of The Old Telephone Exchange and everything but the roof of the Pond House; the proposal is overdevelopment of the green belt and conservation area; Malt Barn is surrounded by 9 Grade II Listed Buildings; it is the only black barn facing the green and to be developed here is massive overdevelopment and would not be in keeping with the character, style and openness of this beautiful, historical conservation area.

Policies Applied:

DBE9 – Loss of amenity.

DBE10 – Residential extensions

GB2A – Development in the Green Belt

GB7A – Conspicuous development

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

National Planning Policy Framework 2012

Principle of development/main issues:

The main issues of consideration in this instance are the design and the impact of the proposed development upon the host dwelling and the conservation area; setting of a listed building; the impact upon the Green Belt and potential impact on the living conditions of neighbouring occupiers.

Character and Appearance

The Malt Barn was subject to alterations during 1999 under planning permission EPF/1058/99. The erection of a two storey rear extension and alterations to the roof structure increased the bulk and mass of the barn. The original carport canopy although increased in depth and width retained an element of openness and enhanced the historical character of the barn.

The conversion of the barn to a separate residential dwelling in 2008 also allowed the conversion of the adjoining carport canopy into habitable rooms. The alteration of the carport effectively created an enclosed single storey element to the building adding to the bulk and mass of the residential conversion.

The current proposal seeks to further increase the depth of the existing single storey and two storey additions to the rear. Conservation Officers are primarily concerned with the fact that the 1999 permission introduced domestic elements with the agricultural building losing part of its original character. The proposal here would, by reasons of its scale and massing cause further harm to the Malt Barn, denying the hierarchy within the building and making the original building extremely difficult to read and understand. The gable element which should always remain subservient spatially and visually to the main body of the building, would become extremely dominant. Its disproportionate dimensions would unbalance the building and the main body would appear completely overwhelmed by the extension.

Whilst the building is now used for domestic purposes in the form of a residential dwelling, any development within a conservation area should preserve or/and enhance the character and

appearance of the area; the proposal is not considered to do this due mainly to its disproportionate size in relation to the existing dwelling. The cumulative impact of both the previous alterations and the proposal would cause undue harm to the Malt Barn and as a consequence be detrimental to the character and appearance of the conservation area.

With regards to the potential impact on Albion House, the Council's Conservation Officer considers that the proposal would not materially affect the setting of this Grade II Listed Building given the slight reduction in depth and change in materials which would soften its impact.

However, in light of the above, the depth, bulk and massing created by the proposal is considered unacceptable. The additions will result in an over-dominant structure which fails to relate to the original form of the barn or the barns position with this historic complex of buildings which fails to conform to Local Plan policies DBE10, HC6 and HC7.

Impact on the Green Belt

Whilst the previously submitted application was refused on the grounds that it would be out of keeping with the green belt, the building has not been extended since it was converted to a dwelling. The extension to the rear was approved prior to its conversion and therefore the dwelling is still in its original form with the proposal constituting a limited extension to that dwelling. However the NPPF does state that extensions should not be disproportionate to the size of the original building. As can be seen from the historic photograph on page 13 of the Design and Access Statement the original building was larger than the building as extended in 1999. There is not clear evidence which shows that the larger element of the building was removed, i.e. pre-1948 so it is difficult to say for certain how large the building was at that time.

Therefore, it is not considered that the two extensions, (this and the 1999 permission), would result in disproportionate additions over and above the size of the original dwelling and even in relation to the building prior to the 1999 extension, this and the previous addition increases the size of the building by approximately 30% in volume terms as much of the floor space created previously was within the roof.

Furthermore, the dwelling sits within the existing village envelope where the principle of limited infilling is acceptable so extending the building to this degree is considered acceptable in terms of potential impact on the green belt. The slightly smaller proposal here is therefore considered to comply with Local Plan policies GB2A and GB7A and paragraph 89 of the National Planning Policy Framework 2012.

Neighbours Living Conditions

In general, it must be remembered that the erection of extensions can seriously disadvantage a neighbour by being overbearing in size and scale, create a loss of privacy and reducing the level of daylight. The amenity and privacy of neighbours must be considered before the erection of an addition.

In order to establish the impact of the proposed development upon the amenity of the neighbouring properties, it is important to consider any loss of outlook or sense of enclosure that may result from the proposed extension. In this instance the proposed extensions are located 16m from the corner of The Maltings to the northeast, 20m from the nearest point to Albion House to the southeast and in excess of 40m from The Old Telephone Exchange further to the north. These distances are sufficient to safeguard occupiers from a loss of outlook or sense of enclosure and not to result in any material level of overshadowing. The size of the addition has been slightly reduced in depth from the previously refused application which was not refused on the grounds that the proposal would materially affect the living conditions on neighbours.

A window is proposed in the first floor northern elevation but this is set in excess of 40m from facing windows at The Old Telephone Exchange and at an angled distance of approximately 18m from the nearest corner of The Maltings to the Northeast.

It is still considered that the proposal would not result in an excessive loss of amenity to neighbouring occupiers therefore complying with DBE9 of the adopted Local Plan and Alterations.

Response to Neighbour Representations

Impact on Trees on the boundary – No objections have been received from the Councils Tree and Landscape Officer. The trees within the neighbours have permission to be removed which the objector states that they will do this when the weather is better.

Separating wall not shown on plans – It appears that the wall would be removed where the extension would be as shown on proposed plan RHP15627/02A. However this is not considered pertinent to the application. If the wall belongs to the applicant then this could be removed without permission at any time. A means of enclosure in this location could be erected to a height of 2m. Very little light at ground floor may result in future application for a window in the side – windows proposed to eastern elevation so it may not be necessary to insert a ground floor window in the side. However the insertion of new windows and doors that are of a similar appearance to those used in the construction of the house are permitted without requiring planning permission and it is not considered that a window overlooking the driveway area would result in an excessive loss of amenity to that neighbour.

Historical print is misleading – Whilst the original malt barn formed part of a larger site initially, the rationale behind including the photograph was to show the size of the building in relation to what is there currently.

Further development would be detrimental to site and conservation area – See Character and Appearance section

Realignment of living quarters could be done without further extension – This may be true but does not stop an application being submitted and considered.

Internal re-arrangement of rooms has taken place – doesn't require planning permission

Barn doors to west elevation has been removed – this has since been amended and the barn door would be retained to the front.

Window added to north elevation overlooking our property – considered above – too far to cause loss of privacy

Further decrease in visual aspect – dwelling is in excess of 40m from the proposed extension so impact is not considered excessive when viewed from this property

Application is overdevelopment in the green belt and within a conservation area – Issues considered in main body of report

Malt Barn in its present form already dominates the skyline more than the old barn used to and obliterates view of The Old Telephone Exchange – the view across third party land is not a significant planning consideration. This objectors dwelling is considered too far for their outlook to be materially affected.

Conclusion:

The proposed part single storey and two storey extension by reason of its depth, bulk and massing fails to relate to the original form of the Malt Barn resulting in an over development of the host dwelling. The proposal would result in an overbearing and dominant addition out of keeping with the Conservation Area and setting of a grade II listed building and contrary to policies DBE10, HC6, HC7 of the Epping Forest District Local Plan (1998) and alterations (2006) published 2008.

Way Forward:

The proposal is not considered to materially impact on the openness of the green belt nor on the setting of the listed building at Albion House to the south. Therefore any proposed extension would have to satisfy concerns relating to impact on the conservation area and would have to be designed such that it would not detract from the character of the existing dwelling and surrounding area.

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

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

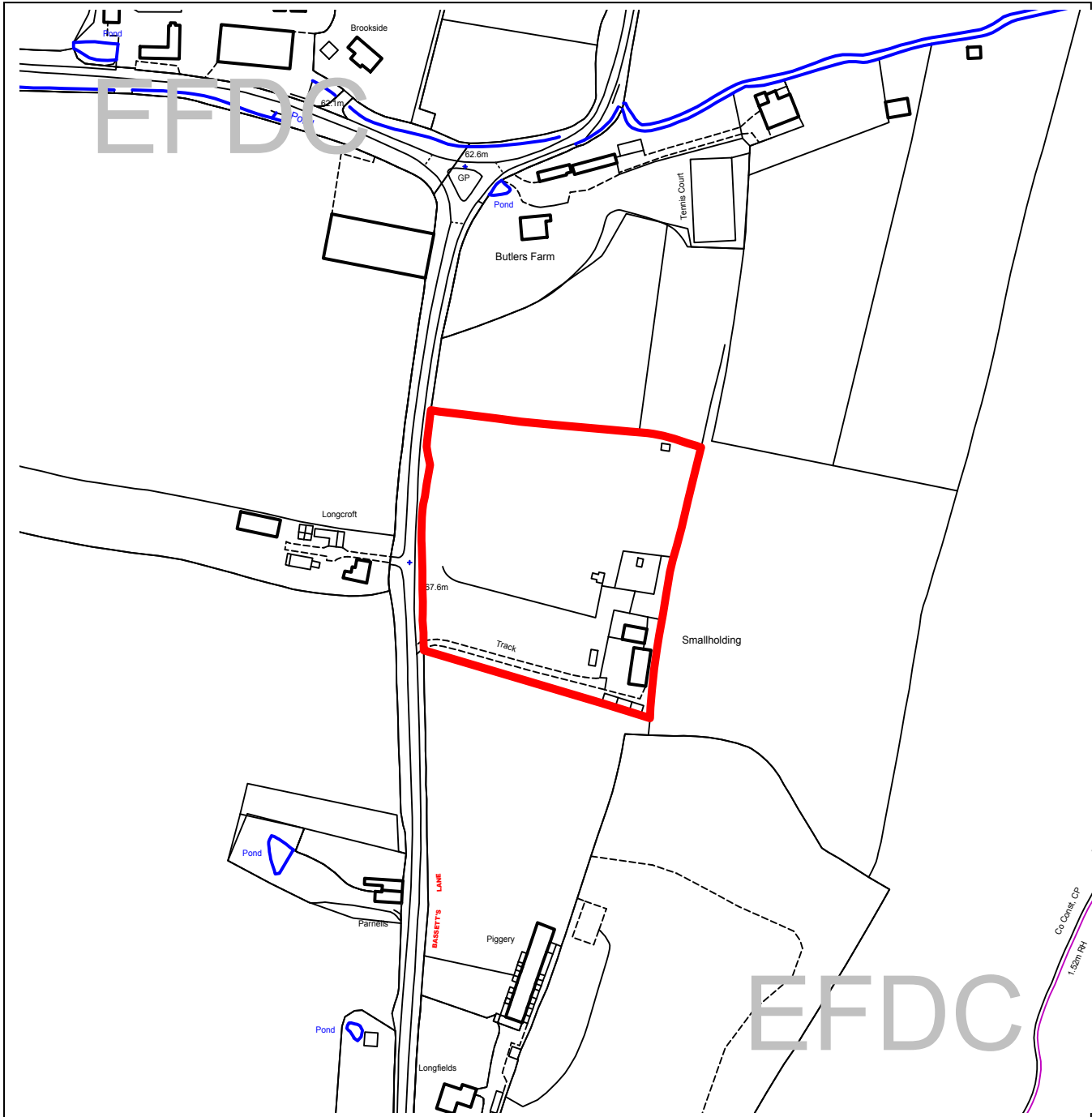
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/2843/16
Site Name:	The Oaks, Bassetts Lane, Willingale, CM5 0GJ
Scale of Plot:	1/2500

Report Item No: 8

APPLICATION No:	EPF/2843/16
SITE ADDRESS:	The Oaks Bassetts Lane Willingale Essex CM5 0GJ
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Frank Blaker
DESCRIPTION OF PROPOSAL:	Proposed improvements and extension to existing agricultural building and change of use to residential dwelling along with conversion of existing barn building into non-habitable use for additional utility, garage and storage space and construction of a small link extension between barn building and adjacent proposed house (amended application to previously approved scheme ref: EPF/3015/15).
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=588813

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 Location Plan and drawings nos: one (Jan 2015), one (Sep 2016), two, three, four, five Rev: A, six, seven, eight & nine
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or outbuildings generally permitted by virtue of Class A, B, C, D or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 5 The area of residential curtilage shall be limited to the area shown on drawing no: five Rev: A.

- 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 No development, including site clearance, shall take place until a scheme of soft landscaping has been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

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: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a small agricultural site located on the eastern side of Bassetts Lane. The wider site contains three main buildings and some smaller structures. Access to the site is by way of a small track from Bassetts Lane. The site is located within the Metropolitan Green Belt. Consent has previously been granted to convert and extend the main building to a residential dwelling.

Description of Proposal:

Amended application to that previously granted consent to enable a second building to be converted into a garage and 'non-habitable' purposes incidental to the enjoyment of the consented residential dwelling. The plans show this area as a 'multi-purpose utility space', WC and sauna

with stairs to the loft area. The second building would be linked to the previously approved dwelling by way of a link containing a corridor and a study.

The proposed development would continue to provide a three bed residential dwellinghouse, although this would potentially allow for greater habitable space (including a possible additional bedroom). The property would be served by the existing access and would benefit from a small area of amenity space to the side of the building.

The proposed link would bridge the 2.5m gap between the two existing buildings and would have a pitched roof to a ridge height of 4m and eaves height of 2.6m. The conversion of the second building would involve the installation of a dwarf brick wall and external recladding to match that of the main dwelling. A garage door, standard door and new windows would be installed at ground floor level and a first floor gable window and rooflights would be installed to serve the loft space.

Relevant History:

EPF/0712/94 – Construct agricultural buildings to replace existing agricultural buildings – refused 23/02/95

EPF/0814/95 – Demolish existing buildings and erect new poultry rearing sheds – refused 30/04/96

EPF/0838/97 – Extension and alterations to existing barn and retention of drainage works – approved/conditions 06/10/97

EPF/1088/02 – Change of use of building to residential, new roof and other alterations – refused 04/10/02 (appeal dismissed 28/02/03)

EPF/0687/03 – Change of use of land to residential with stationing of one residential caravan – refused 02/06/03

EPF/0387/15 – Prior notification of change of use from Agricultural to Residential (Use Class C3) and associated operational development – prior approval required and granted 24/04/15

EPF/3015/15 - Proposed improvements and extension to existing agricultural building and change of use to residential dwelling (alternative to EPF/0387/15) – approved/conditions 22/01/16

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

CP6 – Achieving sustainable urban development objectives

GB2A – Development in the Green Belt

GB8A – Change of use or adaptation of buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE8 – Private amenity space

DBE9 – Loss of amenity

ST1 – Location of development

ST6 – Vehicle parking

RP3 – Water quality

RP4 – Contaminated land

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

Consultation Carried Out and Summary of Representations Received:

5 neighbouring properties were consulted.

PARISH COUNCIL – Object. The Parish Council notes that permission was exceptionally granted (subject to conditions) in 2015 notwithstanding that the property is situated in the Green Belt, having regard to Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The Council believes that the special time-limited exception for rural agricultural conversions to residential use does not extend to the provision of garaging, hard-standings and other uses associated to the main residential permission, which it considers to be inappropriate in the greenbelt.

The original planning permission specifically limited the development to within the area marked in red on drawing 2, being effectively the perimeter of the existing agricultural building, and the Council notes that the current application incorporates:

- A new study area in the “link” between the proposed new “garage” block and the proposed dwelling.
- A sauna within the garage block itself.
- An upper floor accessed by a spiral staircase which would facilitate unauthorised additional residential use.

The Council considers that any further development beyond that approved in the 2015 permission would amount to inappropriate development in the greenbelt in contravention of NPPF and would have a harmful effect on the openness and character of the site, which is visible from footpath No. 55 which runs alongside and to the rear of the subject property.

BUTLERS FARM – Object as the building to be incorporated is simply a steel frame of a modern hay store and the extension would constitute inappropriate development in the Green Belt. There is no need to further enlarge the previously approved dwelling and the property is next to a footpath.

Issues and Considerations:

The key considerations in this application are whether the development is appropriate within the Green Belt or generally in this location, the design, and the impact on neighbour’s amenity.

Green Belt:

The application site is located within the Metropolitan Green Belt. Paragraph 89 of the National Planning Policy Framework states that “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt*”, however does provide a list of exceptions to this, including “*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*”. It also states that “*the re-use of buildings provided that the buildings are of permanent and substantial construction*” is not considered to be inappropriate provided they “*preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*”.

Initially a prior determination was granted for the change of use of the existing agricultural building into a residential dwellinghouse however this prior determination did not allow for any extension of the building. However it was agreed that a new, enlarged roof, and front projection would be a

visual improvement to the site and therefore, given the previous fallback position, planning consent was granted to extend and convert the building in 2016.

This application would further enlarge the proposed dwelling by way of a link extension and through the change of use of the adjacent redundant agricultural building. This would also increase the area of residential land associated with the dwelling to at least incorporate the adjacent building and link as shown on drawing No. five.

The second building proposed for conversion is a steel framed hay store that appears to be unused and has little left in terms of wall covering. Whilst the conversion of this building would require significant external works (such as reroofing, recovering, additional doors/windows, these works could take place without removal of the existing steel frame of the building and therefore this would still constitute a 'conversion' of the building.

The NPPF requires that the re-use of buildings "*preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*". Although the proposed development would further increase the level of built form on the site paragraph 89 allows for "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*". The increase in built form would be restricted to the small link extension which would be minor and not unduly detrimental to the openness of the Green Belt. Therefore it is not considered that this would be a disproportionate extension and as such the proposal would not constitute inappropriate development harmful to the Green Belt.

Location of development:

Whilst the application site is located within an unsustainable location there is an existing consent for the change of use of the main building to a dwelling and therefore there would be no greater impact in terms of sustainability as a result of this development.

Design:

The application site is relatively isolated and consists of a small yard of agricultural buildings. Whilst the proposed conversion and extension would increase the scale of the residential dwelling and create a greater residential presence on the site the proposed works would nonetheless be a more visually appealing development than the existing dilapidated agricultural buildings on the site and would be suitably designed for this rural location.

The building is set some 90m from the highway boundary and is well screened along the road frontage. It is highlighted that a public footpath runs along the rear (east) of the site and views of the building would be available from this right of way however it is not considered that the resulting building would be visually detrimental within this setting and therefore would not cause harm to users of the public footpath.

Amenity considerations:

Given the location of the application site there would be no detrimental loss of amenity to nearby residents.

The level of amenity space/residential land would increase as part of this application in order to incorporate the second building and link extension. Whilst the original red lined application site incorporated a large area of land, including the field to the northwest of the buildings, the supporting statement argues that the curtilage will be strictly limited to the area immediately

adjacent to the buildings and a revised plan has been received clearly identifying this area (drawing No. five Rev: A). The proposed domestic curtilage is a relatively small area and can be suitably delineated by additional landscaping as referred to within the supporting statement and as such there will not be any harm to the character, visual amenity or openness of the Green Belt as a result of this. Suitable conditions can be imposed to achieve this. The remaining land within the ownership would retain its agricultural use.

Other matters:

Contamination:

Due to its former use as a smallholding there is the potential for contaminants to be present over all or part of the site. Therefore contaminated land investigations and (where necessary) remediation will need to be undertaken, which can be dealt with by condition.

Permitted development rights:

Whilst the proposed extensions to the building are considered acceptable any further additions may result in a loss of openness and impact on the overall appearance of the building. Therefore it would be necessary to remove permitted development rights for this development to control any additional development.

Conclusion:

Consent has previously been granted for the conversion and extension of the main building into a residential dwelling. The conversion of the second building and erection of the small link extension would not result in disproportionate extensions to the existing building and the resulting dwelling would not be significantly more harmful to the openness of the Green Belt than the existing permitted scheme. The domestic garden area can be suitably restricted to prevent the incursion of domestic paraphernalia onto open Green Belt land. There would be no detrimental impact on neighbours amenities or the appearance of the area and as such the proposal complies with the NPPF and the relevant Local Plan policies which allow for the change of use of existing buildings and the limited extension of existing buildings within the Green Belt. The application is therefore 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:

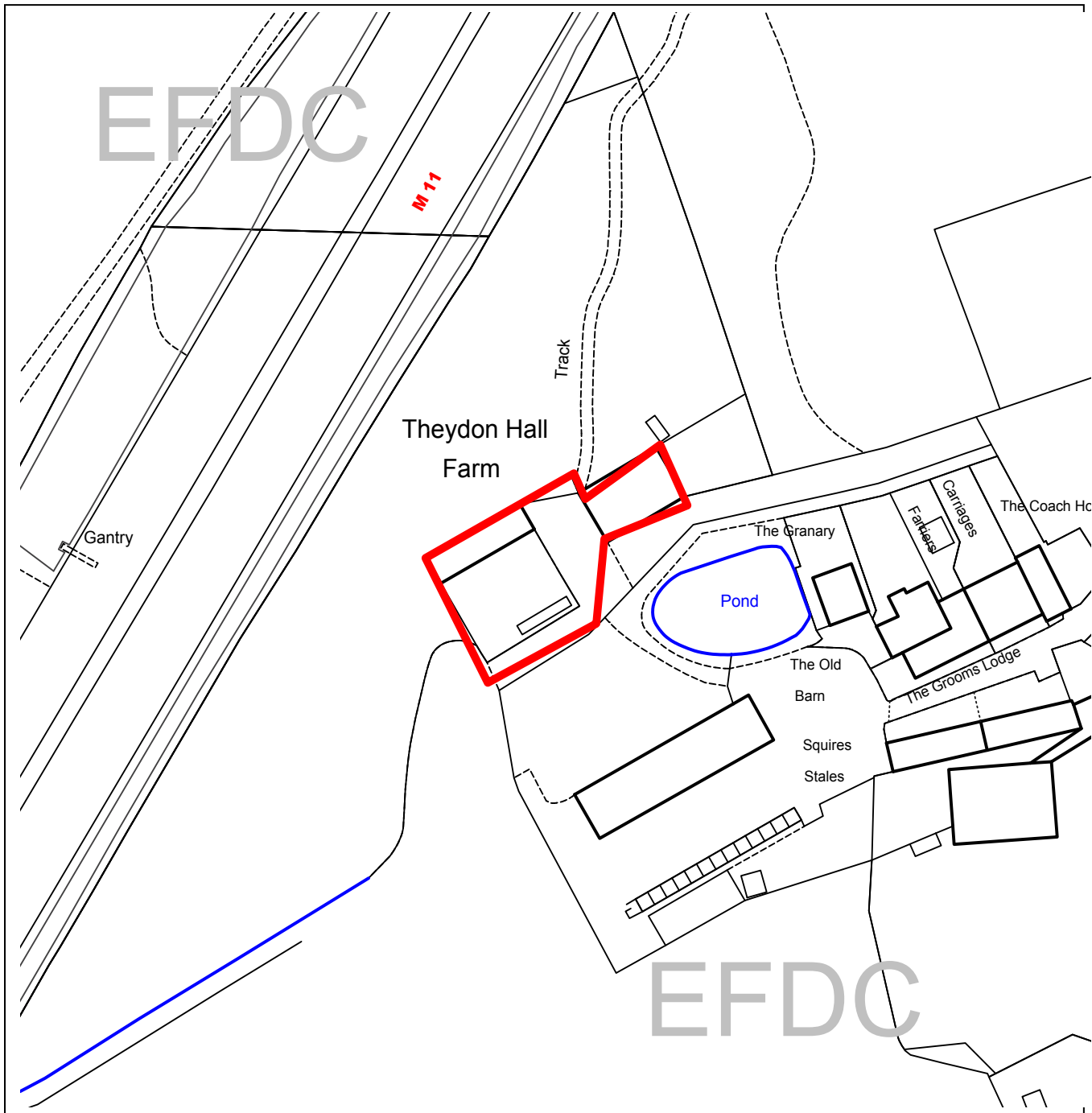
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/2882/16
Site Name:	Land adjacent to Magnolia House, Abridge Road, Theydon Bois, CM16 7NR
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2882/16
SITE ADDRESS:	Land adjacent to Magnolia House Abridge Road Theydon Bois Epping Essex CM16 7NR
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr E Maxwell
DESCRIPTION OF PROPOSAL:	Construction of access way to serve existing storage buildings
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=588995

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: 3331/21 and shall be thereafter retained in perpetuity for the approved purpose.
- 3 No development shall take place until details of the proposed means of construction and surface materials for the access road have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface agreed by the Local Planning Authority. The agreed surface treatment shall be completed prior to the access way hereby permitted being first brought into use.
- 4 No development, including site clearance, shall take place until details of tree and hedge planting as indicated on the approved plan and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

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: Scheme of Delegation, Appendix 3)

Description of Site:

The application site comprises open land to the north west side of Magnolia House, a residential property on the west side of Abridge Road. To the south lie buildings formerly part of Theydon Hall Farm now converted to residential accommodation. To the north of the field lies the M11 in an elevated section which is largely screened by existing trees.

The site and surrounding land lies within the Green Belt.

Description of Proposal:

Permission is sought to construct a new access road across the land connecting storage buildings (for which a Lawful Development Certificate was granted in October 16) to the road via a new access (granted permission in August 2015).

The access is shown on the plans to take the shortest direct route and incorporates two passing bays. It is proposed to use a lightweight, permeable cellular grid system which can be infilled with a range of finish materials. The access will be screened by hedging indicated along the full length of the north side and around half the length on the south side, beyond a fenced area attached to Magnolia House. Further tree planting is indicated along the north side.

Details of both surface finishes and landscaping are proposed to be addressed by discharge of conditions if approved.

Relevant History:

EPF/1493/15 Formation of vehicle access – approved.

EPF/1005/16 Certificate of Lawful Development for existing use of site for B8 storage purposes – approved

Policies Applied:

CP1	Achieving sustainable development objectives
CP2	Quality of Rural and Built Environment
GB2	Development in the Green Belt
GB7A	Conspicuous development
U3B	Sustainable drainage systems
DBE9	Loss of Amenity

NPPF 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.

Consultation Carried Out and Summary of Representations Received

Date of site visit: 01 December 2016
Number of neighbours consulted: 8

Site notice posted: No, not required

Responses received: No response has been received from neighbours consulted, however two local amenity groups have made comments.

Theydon Bois and District Rural Preservation Society comment as under;

The Society objects to this application for the following reasons.

Grounds for approval of a previous application, to legitimise the continued use of the storage buildings, depended in part on the existence of existing means of access - as attested to by the planning officer.

The present proposal of a 300m long, 6m wide track way, with passing places, across open fields constructed from shingle or gravel constitutes a loss of openness in the Green Belt contrary to the tenets of the NPPF. This would create an unneeded addition to the open-field landscape. While the proposed landscaping scheme seems attractive, it is more in keeping with the driveway to a large house or residential complex than the present natural landscape character of open fields which should be maintained.

No intensification of traffic movements is proposed for this site and these at present seem minimal. The bend in the road is a gentle curve and the verge at the present access is wide giving very reasonable visibility. The newly located access is no better in this respect as it is still close to the bend. It seems likely therefore that the dangers of the existing access are minimal and outweighed by the harm to the Green Belt in this proposal. In view of the existence of the previously claimed access, no special circumstances appear to exist and the Society believes this application should be refused.

Theydon Bois Action Group make the following comments;

Theydon Bois Action Group would like to register a strong objection to the proposed new extensive stretch of access trackway across an open Green Belt field.

The storage use is stated to have been continuous for 10 years and this has been accepted by Epping Forest District Council who granted an LDC in respect of EPF/1005/16. The applicant refers to evidence showing the movements of vehicles around the field for this period. The applicant states in the final paragraph of page 1 of the Planning Statement for the current application that:-"It was recognised as a result of the evidence submitted with the LDC application that the lawful storage use has been served from several accesses over the years, including direct from Abridge Road across the applicant's open field." These arrangements have obviously facilitated the previously unlawful storage use for the past 10 years as indicated in the photographic evidence showing vehicle tracks around the grass field adjacent to Magnolia House as well as apparent vehicle movements to the storage buildings via the residential curtilage of Magnolia House itself.

There is, therefore, no need for an extensive stretch (200 metres by 3 metres) of 'plastic cellular construction topped with gravel or shingle' trackway, as the storage business has operated for 10 years without such a trackway. The proposed trackway would introduce an alien, intrusive feature into an otherwise open grassed field on agricultural land in the Green Belt which would be detrimental to the landscape character. This would be an encroachment into the Green Belt countryside and would be contrary to Paragraph 80, bullet point 3, of the National Planning Policy Framework (NPPF). Chapter 9 of the NPPF is entitled 'Protecting Green Belt land' and the opening paragraph (79) states that 'the essential characteristics of Green Belts are their openness and their permanence.'

A landscaping scheme has been proposed to 'soften the visual impact of the access track' It is therefore recognised by the applicant that the proposed trackway has a harmful visual impact on the openness of the Green Belt and requires screening. It is suggested that the landscaping would introduce native species and increase biodiversity. However, planting native species to enhance biodiversity could be carried out for its own sake and is not dependent on the development of the trackway.

The applicant states that the construction of the trackway is an engineering operation and would not represent an inappropriate development in the Green Belt, citing paragraph 90 of the NPPF. However, there is a caveat to para. 90 that the engineering operations may not be inappropriate" provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt." In this case, the openness of the Green Belt would indeed be compromised and the trackway would not "safeguard the countryside from encroachment"11, and would be contrary to para. 80 of the NPPF. In order to overcome the harm to the Green Belt, very special circumstances must be demonstrated and this is not the case here. The applicant states that it was recognised with the granting of the LDC "that the lawful storage use has been served from several accesses over the years" and so there is no need for this specific trackway and there are no very special circumstances to justify the harm it would cause to the Green Belt.

Furthermore, the applicant, in his conclusion, cites para.14 of the NPPF relating to the presumption in favour of sustainable development. However, he has overlooked the second bullet point regarding any adverse impacts of a development and footnote 9, which states that the presumption in favour of sustainable development should be restricted in accordance with specific policies, including "land designated as Green Belt".

In conclusion, we do not consider that any very special circumstances exist to overcome the harm that the proposed inappropriate development would have on the openness and landscape character of this Green Belt site.

We would respectfully ask you to refuse permission.

Parish Council: Theydon Bois Parish Council have commented :

The Parish Council are of the view that the proposed construction of this access way across open field land would be harmful to the openness of the Green Belt and therefore represents inappropriate development in the Green Belt where there are no very special circumstances to outweigh the harm caused.

In the recent application (EPF/1005/16) for B8 storage use of the buildings this access way would serve, the Officer's Report implied that there were 3 access points available to reach the buildings. This would surely suggest that there are no 'very special circumstances' for creating such a long access way across open field land which would have an adverse impact on the character of the site'

Main Issues and Considerations:

The application raises no direct amenity issues in relation to immediate neighbours and as a result the application falls to be considered on the Green Belt issues. Such consideration does need to have due regard to the two most recent applications for the vehicle access and the lawful development certificate for storage use which have a significant and material effect on consideration of the application..

It is noted that all objectors make reference to comments in the report for the Lawful Development Certificate application that discuss access to the site but officers would argue this point has been misinterpreted. The relevant paragraphs are reproduced below:

Objections also raise issues of access to the building. It is apparent that before the site was sub-divided, access was available from the land to the south. A boundary fence was erected between the two probably as part of the residential conversion, although access through this route was retained, aerial photographs show that a hard surface area runs up to the boundary and officers have seen that part of the fencing abutting this is removable.

Vehicle access is also available from Abridge Road where three points of access are identified. The crossover for the new access approved in 2015 has been constructed to the highway but the works to the site to remove fencing and shrubs has not been undertaken. The access replaced an access t some distance to the north which the applicant advises has never been used in the last 10 years. This access can be identified as the former dropped kerb was removed by the highway authority when installing the new access and replaced by new kerbstones; the nature of the landscape supports the contention that this access has not been used for many years. The third access lies between the two and the applicant states that this has been used as various times. The access is gated although no dropped kerb exists. Aerial photographs support the contention that this access has been used in the past; vehicle tracks are clearly visible from this access and while other photographic evidence shows it's use has not been continuous the supports the contention that it has been used previously.

Thus, the access from the south through the original farm buildings now in residential use appears to have been discontinued when the residential use commenced. The three access points on Abridge Road comprise the new southern access that at the time had not been completed (and is the access shown on the current plan), the northern access disused for at least 10 years on the applicants admission where the crossover has subsequently been removed and the central access that has been in recent use without a formal crossover. It is clear therefore that at the time of the report, there was a single point of access in use.

It is recognised that historically, the nature of the storage use on the site has been primarily for long term storage generating limited vehicular trips. It is possible however that the greater certainty afforded by the granting of the LDC will see future users requiring greater access to the site, thereby increasing vehicular activity. It is evident that the new access point is in part positioned to facilitate this providing a more direct route between the road and the buildings. As such the need to provide adequate access to the lawfully used storage buildings would constitute very special circumstances to support development in the Green Belt.

In assessing harm, it is appropriate to consider not only the direct impact of the development .but also the applicant's fall back position.

On the first issue, it is not uncommon to find long access roads within the Green Belt serving remote buildings. In this case, the access will be largely screened from the road by the dense foliage around the access point and can be further screened by tree and hedge planting. The road surface would not be a tarmac or concrete finish but involves a flexible system that can be finished in a less obtrusive manner to minimise the impact of its appearance and would be permeable. Officers therefore consider that the impact would not be such that serious harm would result.

On the second issue, neither the Council nor the Highway Authority is in a position to prevent the buildings being accessed across the field. Thus the alternative would be that vehicles continue to cross the field, possibly by a variety of routes depending on the ground conditions at different times of the year. Officers consider that a field with various vehicular routes used to cross it, with ruts where vehicles partially sink in poor conditions, would have a far more significant impact on the appearance of the Green Belt than the application proposal.

Conclusion:

Officers consider that in the light of the Lawful Development Certificate granted for the storage use and the planning permission for the vehicle crossover, then provision of a means of access to link the two would constitute very special circumstances to justify the development in the Green Belt. There is little physical or visual harm to the openness or character of the area as a result of the development and significant tree and hedge planting which can be required by condition will improve the visual amenity of the area.

As a result, the proposed access which takes the shortest direct route, uses a sustainable method of construction including a permeable surface and has little impact on the character and appearance of the Green Belt in this location present a better visual option than continued ad hoc use of the field to access the buildings.

Thus, the development is considered to be acceptable in the specific circumstances.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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