

## AREA PLANS SUB-COMMITTEE 'EAST'

15 March 2017

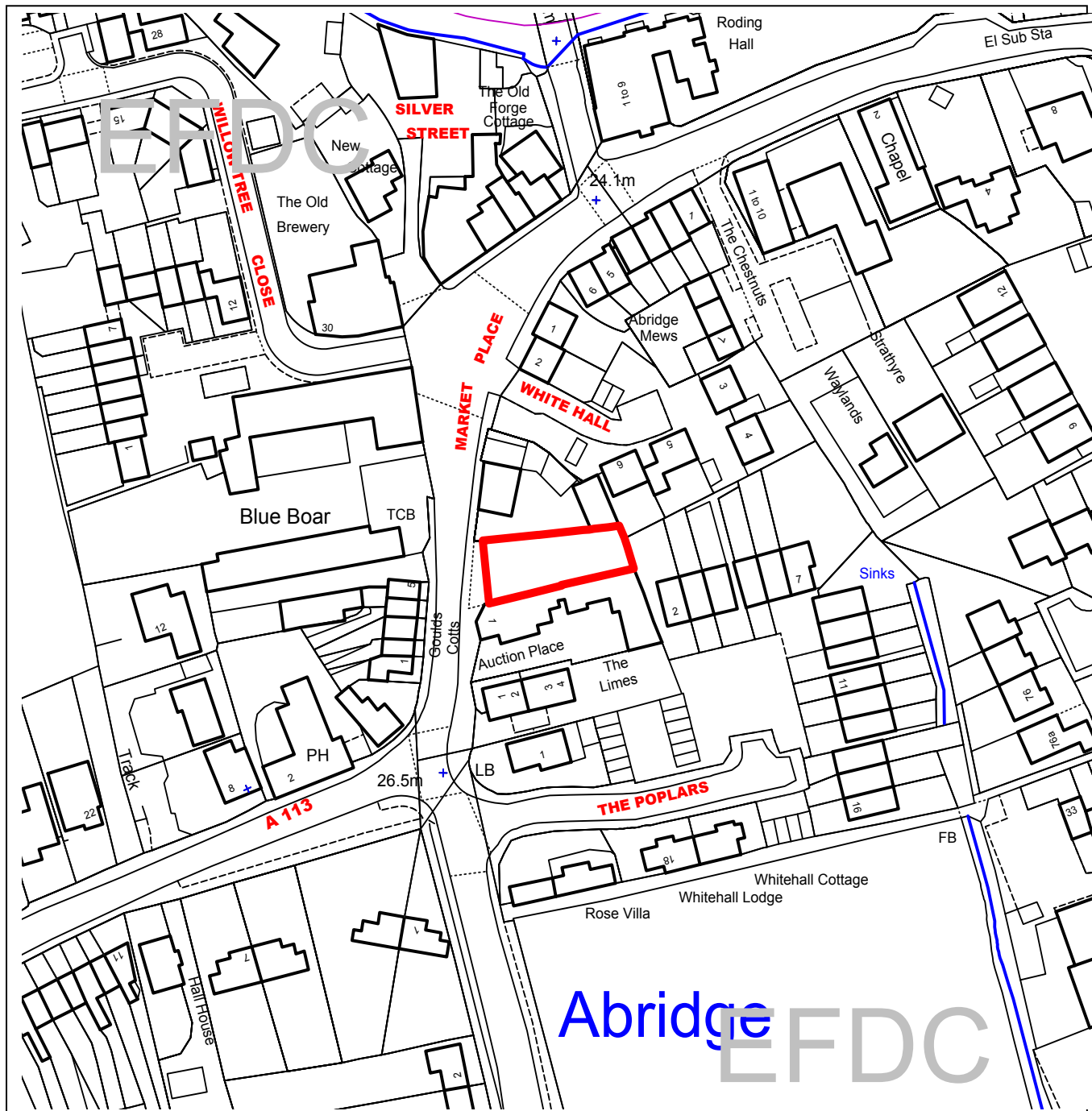
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2710/16
Site Name:	The Retreat, Market Place, Abridge, RM4 1UA
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2710/16
<b>SITE ADDRESS:</b>	The Retreat Market Place Abridge Essex RM4 1UA
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Mr B Parmar
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of five 2 bed apartments with unit at ground floor used for flexible purposes within Use Class A1 (shops) and Use Class A2 (Financial and Professional Services)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=588455](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588455)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
1 F, 2 F, 3F, 04, 05, 06B, 7P, 8P, 9P, 10H, 11P, 12P, 13P, 14N, and 15P
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 4 No development shall have taken place until samples of the types and colours of the external finishes including details of doors, windows and rooflights 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.

- 5 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.
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 7 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 8 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.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

### **Description of site**

The site is known as The Retreat, Market Place, Abridge. It is currently an empty site with hoarding around as the previous building on site has been demolished. Previously, a two storey feather-boarded building built immediately onto the street was located here and was one of a number of former 'Retreat' building used by day trippers, but in latter years used as a Post Office.

The site is outside of the Green Belt. Prior to the demolition of the building, the building had been vacant for a number of years.

### **Description of Proposal:**

The application seeks permission for the redevelopment of the site to provide five 2 bedroom apartments with a ground floor unit to provide an A1/A2 use. The proposal is a revision to a previously approved scheme which results in an alternative internal layout (now 5 x 2 bed rather than 4 x 2 bed and 1 x 1 bed units), a slightly larger commercial unit and with changes to the overall design. The proposal results in a two storey building (with accommodation within the roof area), a vehicle underpass and a building that extends back into the site at two storeys to provide an 'L' shape footprint. The proposals would permit 5 residential units, parking to the rear for 8 cars and no garden area, albeit four of the units would have a balcony area.

The plans have been revised during the application process in light of the Conservation Officer's comments which has resulted in changes to the design.

The previous 2014 permission is still extant and could be built without further permissions.

### **Relevant History**

EPF/2006/14	Demolition of existing building and the erection of 4 x 2 bed & 1 x 1 bed apartments with A1/A2 unit at ground floor – App/con
EPF/1213/09	Redevelop existing post office building into a new retail unit and create 3 no. new flats, two x two bedroom and one x one bedroom flat with 6 parking spaces - Approved
EPF/0150/09	Redevelop current post office building with a rear extension to create six, one and two bedroom flats, small office to rear and six parking spaces - Withdrawn
EPF/0152/09	Conservation area consent for the partial demolition and redevelopment of current post office building with a rear extension to create six, one and two bedroom flats, small office to rear and six parking spaces – Withdrawn

### **Policies Applied:**

CP1 Achieving Sustainable Development Objectives  
CP2 Protecting the Quality of the Rural and Built Environment  
CP3 New Development  
CP6 Achieving Sustainable Urban Development Patterns  
CP7 Urban Form and Quality  
H2A Previously Developed Land  
H3A Housing Density  
H4A Dwelling Mix

DBE1 Design of New Buildings  
DBE2 Affect on Neighbouring Properties  
DBE3 Design in Urban Areas  
DBE6 Car parking in new development  
DBE8 Private Amenity Space  
DBE9 Loss of Amenity  
HC6 Character, Appearance and Setting of Conservation Areas  
HC7 Development within Conservation Areas  
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 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.

*Draft Local Plan Document (2016):*

DM5 Green Infrastructure: Design of Development  
DM7 Heritage Assets  
DM9 High quality design  
DM10 Housing design and quality  
SP6 The Natural Environment, Landscape Character and Green Infrastructure

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.

**Summary of Representations:**

LAMBOURNE PARISH COUNCIL: The Parish Council **STRONGLY OBJECTS** to this proposal on a number of grounds.

Overdevelopment – The proposal of five apartments and two units is felt too much for the size of the plot and comes much closer to the road than the original property.

The development is not in keeping with the Market Place and Village Scene.

Not adequate parking. Abridge is already suffering from parking issues and eight parking bays for seven units does not give enough parking. There will be no parking for staff of the two units within the local area.

Safety – The entrance to the property will be on a bend with limited sight lines, within 50m of a zebra crossing and mini-roundabout.

If the above proposal is to be considered, the Parish Council would ask that strict conditions are placed on times for access and deliveries with no delivery vehicles permitted before 9.30 am. This is due to the road is a main commuter route through to Debden and Loughton stations and the M11 motorway,

20 neighbouring properties were consulted and a site notice was posted on the hoarding.

No objections have been received from neighbouring properties.

## **Main Issues**

The main planning issues are considered to be the principle of development, design in relation to the Conservation Area, impact on amenity, living conditions for future occupiers and highways and parking

### **Principle of development**

The principle of residential development in an established settlement is acceptable in principle and in this case a development of a similar scale, design and bulk has been previously been approved (EPF/2006/14) and this permission is still extant and as the building has been demolished has been implemented. Indeed residential use of the site was established for three units previously under EPF/1213/09.

The loss of a historic building was discussed in length as part of the 2014 application. Although not listed 'The Retreat' building, was a historic building within the Conservation Area and any demolition within a Conservation Area is critically assessed. The previous application was accompanied by information demonstrating that the existing building is beyond repair, and even were the task undertaken, the original fabric and features that would remain once the building were made good, would be minimal. As the building was in such a poor state of repair, unusually, the 2014 permission was not subject to a legal agreement ensuring the demolition did not commence prior to provision of a contract for redevelopment.

### **Design and appearance**

The proposed scheme was the subject of several discussions and subsequent revisions with the Conservation Officer recommending detailed changes to the design to ensure an acceptable addition within the Conservation Area, adjacent to a Grade II\* listed building.

The Conservation Officer has no objection to the revised scheme and considers that the proposal would make a positive contribution to the streetscene, both preserving and enhancing the character and appearance of the Abridge Conservation Area and the significance of the setting of the adjacent grade II\* listed building.

The proportions of the building have been altered so that they are more inline with the adjacent Auction Square with similar eaves, ridge height and roof shape and this results in adequate proportions compared to the listed building which is of a smaller scale. Additionally a jetty feature has been removed which the Conservation Officer was unhappy about on the 2014 application, so the proposal appears much more sympathetic to the demolished building. Other alterations include removal of a large, too detailed shop front, and changes to window position and chimney design.

To the rear the design has altered and is less contemporary in appearance as with the 2014 permission. It still takes a different design approach to the more traditional front elevation and results in a mansard roof type design to the rear with inset dormer windows which face into the internal courtyard area. Although a mansard type roof, from the ground level it will have the appearance of a sloping roof and will reflect the pitched roof character of the area, albeit in a less traditional style. It is quite a bulky design but has removed the flat roof element of the previous proposal when viewed from the internal courtyard.

### **Neighbouring amenities**

The plot is situated between two buildings which have businesses at ground floor and flats above. With regards to The Coach House (the listed building) the proposal has been designed to in a similar style to the previous approval, creating a pitched roof visually acceptable elevation along

this side boundary. Inset balconies are proposed at roof level, however this element was considered acceptable with the previous application and will only overlook in the main the roof area of The Coach House given their forward position. Additional windows are proposed compared to the previous scheme at first and second floor but these all either serve non-habitable rooms (kitchen/bathroom/stairwells) or are for communal areas and therefore can be obscure glazed to avoid any loss of privacy.

With regards to the Auction House building, the flank wall at the boundary has no windows other than high level roof lights serving en-suites and therefore again these can be conditioned to be obscure glazed to avoid any loss of privacy.

The proposal will be forward of the first floor of the Auction House, but this mimics the original situation and that approved previously. There may be some loss of outlook to the nearest first floor window given that the application site is currently empty, so a replacement will alter the current outlook but as above this will be the same as the original and the previously approved situation.

Concern was raised previously with regards to ground floor unit at the Auction House due to existing side windows. However, as with the previous scheme these appear to be for storage areas and in any event will not be excessively impacted by loss of light given that they will face the car park area.

To the rear the site backs on to the rear gardens of properties in Whitehall and The Poplars

Any views to these properties would be far reaching and high level. Although there may be some perception of overlooking it is not considered so excessive to justify a refusal. In addition this proposal has removed the rear facing balcony allowed on the previous scheme which is considered an improvement to the rear amenity.

#### Living conditions of future occupiers

The internal layout has been revised during the course of this application to alter window openings and rooflight locations following the Conservation Officer's comments but this is not considered to be harmful to the amenities of future occupiers.

There is no communal amenity space but in this historic core this would be difficult to achieve. All but one of the flats has a balcony space and this is the same ratio as the extant approval.

#### Highways and parking

Officers at Essex County Council have been consulted on the planning application and have objected to the scheme due to the absence of turning area within the site and the size of the parking bays being to the old standards. The issues raised by the highway authority were all raised in 2014 and also in 2009 when a similar scheme was approved. Therefore as previous approvals have been given Officers consider it unreasonable to uphold the concerns raised now when they were not upheld in 2009 or 2014, particularly as the 2014 application is still extant. Therefore the proposal is considered acceptable due to the history of the site.

#### Other Matters

The Council's Archaeological consultant has requested conditions due to the site's location in a historic area of archaeological interest.

It is noted that the Parish Council have objected as they do not want two commercial units – this application is for one unit in either A1 or A2 use and not for separate units.



## **Conclusion**

The proposal is similar to the previous 2014 approval with the same number of units proposed but an alternative design. It is important that a scheme is built out so that this prominent empty site within the Conservation Area is filled. The proposal will provide new homes in an existing village area, and the reintroduction of a retail/office use at ground floor. The proposals have been designed to reflect the character of the original building and revisions have been made to incorporate the Conservation Officer's comments. As such it is recommended that the proposal is granted planning permission 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:**

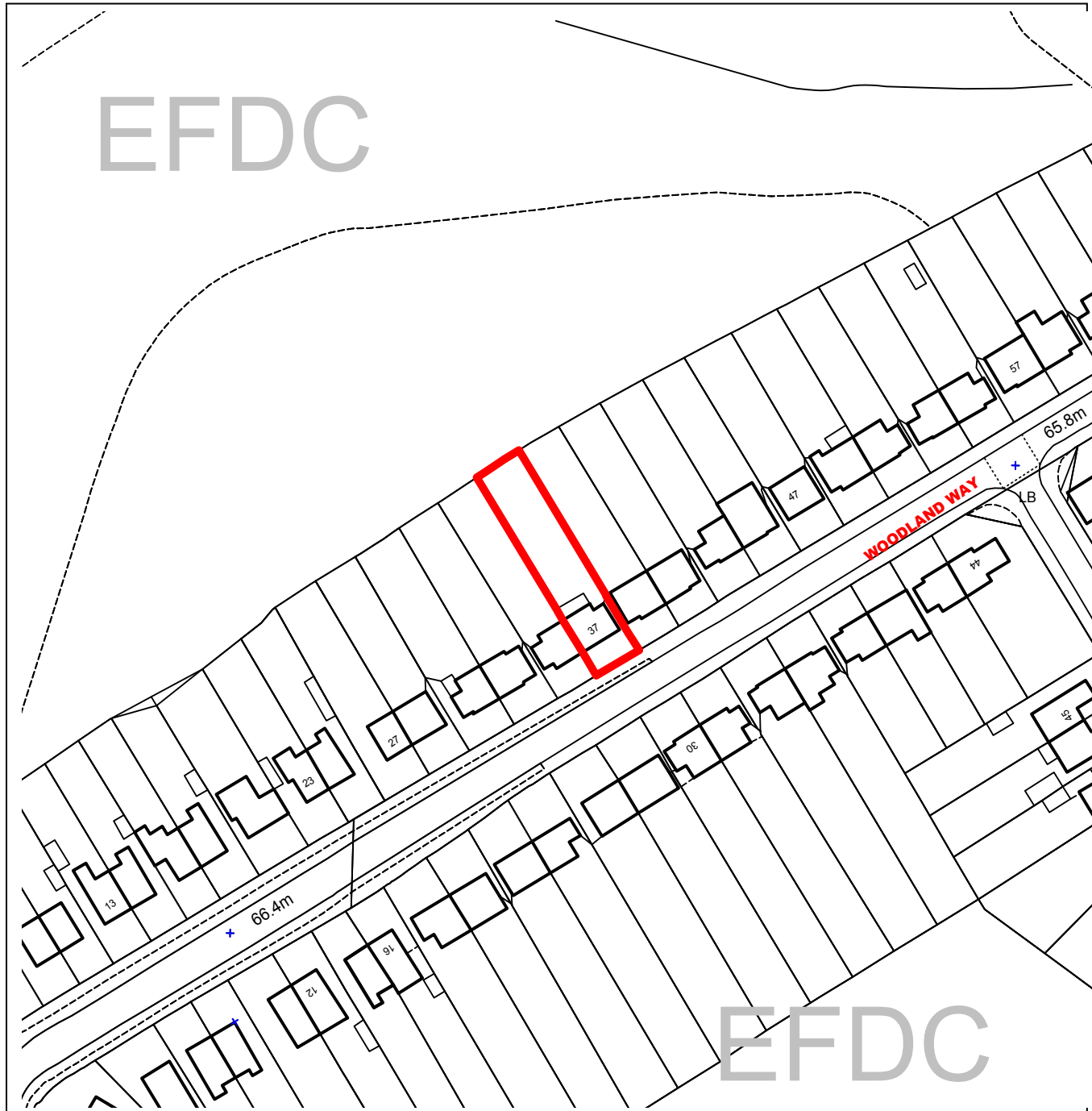
**Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 574414**

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



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/2994/16
Site Name:	37 Woodland Way, Theydon Bois, CM16 7DY
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2994/16
<b>SITE ADDRESS:</b>	37 Woodland Way Theydon Bois Essex CM16 7DY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr & Mrs Chris Collins
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of a flat roof with a gable roof form over existing two storey side extension, and construction of 2 rear dormer windows to facilitate a loft conversion.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=589320](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589320)

**CONDITIONS**

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

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

### **Description of Site:**

Woodland Way is located within the built up area of Theydon Bois. The existing property is a two storey semi detached property situated on the northern side of Woodland Way, which has a two storey flat roofed side extension dating from the 1960's. The adjoining property, 39 Woodland Way, has a two storey side extension with a gable roof and a box rear dormer window. The immediate surrounding area is predominantly characterised by similar two storey dwelling houses of mixed roof forms encompassing traditional hipped or pitched roof forms, some of which are steeply slopping with front gable features, and attic rooms including side or rear dormer windows. The application property is not listed and the site is not in a conservation area.

### **Description of Proposal:**

Replacement of the existing flat roof over the two storey side extension with a pitched gable roof form, and construction of 2 rear dormer windows and installation of rooflights to the front roof slope to facilitate a loft conversion.

### **Relevant History:**

EPF/1066/14: Prior notification application for a 6 metre deep single storey rear extension, with height to eaves 3.2 metres and maximum height of 4.0 metres - Prior Approval Not Required 24/06/2014.

EPF/1488/96: Single storey rear extension – Approved 07/01/1997.

EPF/0636/95: Pitched roof to existing side extension and conversion of garage to living accommodation – Approved/Conditions 07/08/1995. (but not implemented)

EPF/1332/87: Single storey rear extension – Approved 06/11/1987.

EPO/0518/69: Extension over garage – Approved 14/10/1969.

### **Policies Applied**

- CP2: Quality of Rural and Built Environment;
- DBE9: Loss of Amenity;
- DBE10: Residential Extensions;

In addition to the Local Plan policies above the Council is currently consulting on the Draft Local Plan. 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 relevant policies in this case are as follows

- SP1: Presumption in Favour of Sustainable Development.
- DM9: High Quality Design.

National Planning Policy Framework (NPPF) 2012; The NPPF was published on 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 4

Responses received:

39 WOODLAND WAY - **support** the proposed development on the grounds that “The plans are in keeping with the character of the village whilst allowing homes to grow in line with modern demands”

PARISH COUNCIL - The Parish Council objects to the change in roof design from hip to gable. The proposed gable roof would add considerable bulk to the house which would be out of character with similar properties in the area. Currently, all semi-detached properties in Woodland Way, including those which have been extended, have either hip roofs or lower flat roof extensions. The proposed gable roof, if followed as a precedent, would introduce a terracing effect to the detriment of the street scene.

### **Issues and Considerations**

The main issues in this case are considered to be covered under two main areas:

- Whether harm would be caused to the character and appearance of the application building, street scene, and the surrounding area.
- The impact on the living conditions of neighbouring residents.

#### **Impact on the Character and Appearance**

In regards to the two dormer windows, these would be positioned on the rear roof slope and would not be visible from any main street. These dormers have been designed to sit above the eaves, below the ridge and away from either side boundaries which reduces their bulky appearance in the rear roof scape. In addition, the dormers are of a scale and size well related to the size of the roof on which they would form part of. Adjoining property no.36 Woodland Way has a huge rear box dormer window; and several properties along the street have either side or rear dormer windows. These elements of the proposal are therefore considered appropriate additions that would not dominate the roof of the host property and would also be in keeping with the prevailing pattern of development in the locality.

With regard to replacement of the existing flat roof with a pitched gable roof form; this is considered complementary in design terms as it would significantly improved the appearance of application property in the street The roofline follows the existing ridge line and eaves lines and will be of tiles to match the existing. Furthermore, the adjoining property 39 Woodland Way, has recently replaced the flat roof over its two storey side extension with similar gable roof design following planning approval under EPF/2762/14 dated 20/01/2015. In addition, the properties along Woodland Way have varied appearance of roof forms including hipped with front gable features facing the street, or cat-slide roofs which steeply slope on either side with prominent front gable features facing the street and large side dormer windows also visible from the street. In light of the existing characteristics of the locality, it is considered that, the proposed change in the roof design at the application site would complement the character and appearance of the host property, street scene and the locality.

#### **The impact on the living conditions of neighbouring residents:**

The proposed development would have an acceptable impact upon the living conditions of neighbouring occupiers with no excessive overlooking or loss of light or outlook.

### **Conclusion:**

The replacement of the existing unsightly flat roof with a pitched gable ended roof is a positive change to the dwelling and the streetscene and is similar to the design of the adjacent property, in an area of mixed roof designs. The rear dormers will cause no harm to visual or residential amenity of the area. The proposals therefore comply with the aforementioned policies of the

adopted Local Plan (1998) and Alterations (2006), Epping Forest Draft Local Plan (2016) and guidance in the National Planning Policy Framework. Accordingly, it is recommended that planning permission should be granted to this application with conditions.

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

***Planning Application Case Officer: Moses Ekole  
Direct Line Telephone Number: 01992 564109***

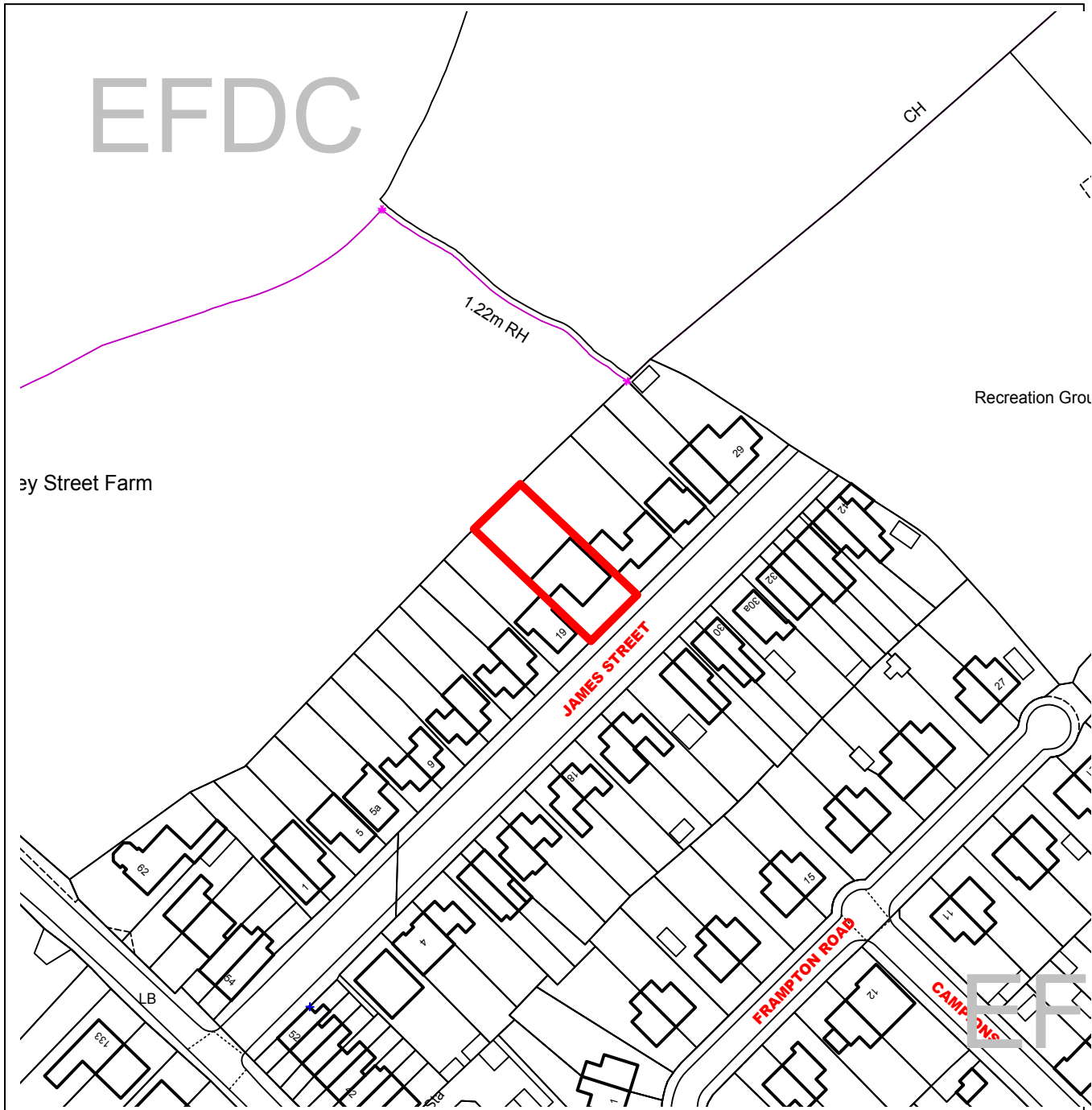
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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/3202/16
Site Name:	21 James Street, Epping, CM16 6RR
Scale of Plot:	1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/3202/16
<b>SITE ADDRESS:</b>	21 James Street Epping Essex CM16 6RR
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Graham Wigram
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey front and side extension (REVISED DESCRIPTION)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=589855](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589855)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

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

**Description of Proposal:**

Planning permission is sought for the erection of a two storey front and side extension. The extension would project forward of the main front elevation by approximately 3.6m and would be

located to the southwest side largely infilling an area between the main bulk of the dwelling and the neighbour at 19 James Street's two storey flank wall. It would project no further than the front building line at that neighbour. The extension would accommodate an integral annexe with separate front entrance but linked internally to the existing dwelling over both ground and first floor levels.

NB: Officer's had concerns with the original proposal. Revisions were discussed with the applicant and revised plans were received on the 6<sup>th</sup> February 2017. Epping Town Council and neighbours were re-consulted. It was subsequently pointed out to Officers that the proposal showed part of the revised extension and guttering to be overhanging the neighbour's boundary at 19 James Street. These issues were addressed and revised drawings were submitted and received on 24<sup>th</sup> February 2017. It was not considered necessary to re-consult neighbours as apart from those issues the scheme remained the same as the revised plans received on the 6<sup>th</sup> February.

### **Description of Site:**

The site is regular in shape and contains a two storey detached dwelling but started life out as a bungalow. Both neighbouring properties are detached and both benefit from relatively large extensions. The road contains residential dwellings of varying size, age and design. The property benefits from a carriageway drive to the front with two vehicular accesses.

### **Relevant History:**

EPU/0129/56 - Application to erect a garage – Permitted Development

EPF/0786/74 - Details of extensions and alterations to form first floor accommodation – refused

EPF/1256/76 - Details of alterations and extensions – Approved

EPF/0178/88 - Extension of bungalow to form detached dwelling house.

### **Policies Applied:**

National Planning Policy Framework 2012

Local Plan 1998 and 2006 (Alterations)

- CP2 – Protecting the rural and built environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions
- LI10 – Adequacy of provision for landscape retention
- ST4 – Road Safety
- ST6 – Vehicle Parking

Epping Forest Draft Local Plan (2016)

T1 – Sustainable Transport Choices

DM9 – High Quality Design

### **Summary of Representations:**

Notification of this application was sent to Epping Town Council and to neighbouring properties.

TOWN COUNCIL: Objection – Whilst committee note the revised plans, this will result in the loss of off street parking in a road where there are parking pressures. Committee feel that duplication in rooms such as kitchens would result in overdevelopment and request a condition is placed on this application that it remains one dwelling and should not be sold separately.

Relevant policies: DBE11 (i) & (ii); CP7

19 JAMES STREET – NO OBJECTION (relating to the revised scheme) - Having studied the amended drawings (sheets 4 & 6) dated 24/2/17 we are satisfied that our concerns have been addressed and are content with the situation as it presently stands.

23 JAMES STREET – OBJECTION to the original proposal. No response received relating to the revised proposal – These extensions will increase the depth of the building's rear projection behind the rear wall of my house from an existing of approximately 6.1m to a proposed of 9.3m. The plans indicate what appears to be a balcony and unless any consent is conditioned/ section 106 no further planning consent would be required to provide such access in the future. A balcony would result in unacceptable overlooking and loss of privacy to my property. Proposals indicate separate kitchen and stairway in the two storey side extension. This suggests this part of the building - although doorway connected to the rest of the house - will be used separately and could easily with consent become a self contained separate dwelling once the building envelope is completed. The extended house will have 7 bedrooms which could provide accommodation for a large number of adults which could cause parking problems.

24 JAMES STREET– OBJECTION to the original proposal. No response received relating to the revised proposal:

- The application has numerous administrative and technical errors, including glaring dimensional errors and inaccuracies in the existing and proposed construction materials cited. Incidentally the Applicant (Agent in this case) is not resident at 21 James Street.
- Questions regarding parking and garden issues have been falsely represented.
- Insufficient parking space will adversely affect the amenity of surrounding properties through further roadside parking on this narrow street.
- The proposed extension by reason of its size, depth, width, height and massing would have an unacceptable adverse impact on the amenities of the properties immediately adjacent and opposite the site and the surrounding area by reason of visually overbearing impact.
- The layout is inappropriate and unsympathetic to the appearance and character of the local environment.
- The mass and bulk of the rear elevation to the open countryside will have an adverse effect on the visual impression of the boundary of Epping town.
- In terms of detailing and materials this extension is not in keeping with the existing street scene.
- Any attempt to change this property into a multi occupancy building introduces a diverse element that by reason of its use is likely to result in increased noise, disturbance and nuisance to the residents of James Street.

26 JAMES STREET– OBJECTION to the original proposal. No response received relating to the revised proposal

The plans submitted are unclear as to what use the building is going to be put to. It claims to be C3 - dwellings when it is a single family home (dwelling). Is the newly developed building going to be a home for a single family or is it going to be a HMO, a house with multiple occupancy or, possibly, a hostel. It certainly has more than enough bathrooms to satisfy HMO regulations plus two kitchens and rooms that could easily be communal areas. An HMO or hostel would be completely against the character of this street and totally inappropriate for its inhabitants. It would lower the value of housing in the street and, possibly, raise insurance premiums too. Parking, if many people had cars, would add to the already dire parking problems. If the development was for a single family, well maintained family home there would be no problem but an HMO in the middle of the street does not fulfil that criterion. Until the usage is clarified I must inform you of the strength of my opposition.

30a JAMES STREET- OBJECTION to the original proposal. No response received relating to the revised proposal - The submitted plans do not provide sufficient information on the intended use of the property. The plans show 2 kitchens and a store room with up to 13 separate rooms without designated use. James St is a quiet residential road, a development of this type will be detrimental to the amenity and character of the road. Parking is currently a problem and extremely restricted causing problems for households with 2 cars as is now the average per dwelling. The application states that there will be no impact to existing car parking arrangement however this development with potentially 13 separate house holds will have a significant impact on the area and will be completely out of character with the road.

PETITION SIGNED BY 48 residents and entitled 'Local Community Residents also OPPOSED to plans proposed for changes to 21 James Street – 41 living in James Street (including the occupiers of 19 James Street who have seen the revised plans and have withdrawn their individual objection); 3 residents living in Frampton Road; 1 resident from Beaconfield Rd; 1 resident from Margret Road, 1 resident from Lower Bury Lane and 1 resident from 11 Meadow Road.

NB: The petition was received prior to the submission of revised plans.

### **Issues and Considerations:**

The main issues to determine relate to the principle of the development, neighbours living conditions and character and appearance of the proposal.

#### *Principle of development*

The proposal for a two storey front and side extension is acceptable within residential areas however due to the proposed ground and first floor plans submitted, concern has been raised by both Town Council and residents that there is the potential for the dwelling to be subdivided into more than one property.

The plans show that the extension would accommodate, at ground floor level, a hall way with WC and an open kitchen/diner to the rear. The ground floor would be accessed via its own separate entrance to the front but would be connected to the existing dwelling by way of a room within the dining room. A study room is proposed to the front with bedroom to the rear and bathroom between. The stairs up open onto a small landing with connecting door to the existing dwelling.

At the time of submitting the application, the applicants were in the process of buying the property and it was explained by the applicant, at the time of the site visit, that the dwelling was to be occupied by themselves, their daughter and her children.

The existing dwelling already benefits from two front entrance doors so there would be no change here. Creating an annexe within a dwelling is quite acceptable and is less intrusive than providing a detached annexe and neither are inappropriate development in principle.

The extension is linked internally at both ground and first floor. If the dwelling was to be divided into two separate dwellings, this would require planning permission and is not being applied for here. Internal alterations to a dwelling can be undertaken without the need for planning permission.

In terms of the labelling of the rooms, at the time of the site visit a number of rooms were not in formal use and were being used as storage by the current occupier. The proposed plans still do not label these rooms. However this is not considered a reason to withhold planning permission as

no matter what they are labelled in a planning application there is no requirement that they remain in such use thereafter.

Although concern has been raised that the dwelling has the potential to become a house of multiple occupation, there is insufficient evidence to demonstrate that this is the case here and the assessment should be based purely on the plans submitted and on the plans submitted the principle of extending a dwelling and providing living accommodation in the form of an internal annexe is not considered to conflict with National and Local Plan policy.

NB: It was suggested to the applicant's agent during the application process that given the objections received, including a petition, that the applicant may wish to provide a supporting statement explaining the proposal. Whilst this hasn't been received, there is no obligation for this to be done and as discussed above the proposal is not considered contrary to policy.

### *Living Conditions*

The proposed extension would now be sited close to the boundary with 21 James Street with the ground floor element set slightly off the boundary and the first floor element 1m off. The neighbour benefits from a long two storey flank wall which the extension would not project forward of and the single storey element would replace an existing single storey element which projects to the rear of the neighbour.

It is considered that the extension would not cause excessive harm to the living conditions of the neighbouring occupier. The nearest affected neighbour at 21 James Street has now withdrawn their objection to the proposal given the changes to the scheme proposed.

The use of the extension as an integral annexe is not considered to result in noise and disturbance over and above noise expected to emanate from a single dwelling.

The proposal would comply with policies DBE2 and DBE9 of the adopted Local Plan and Alterations (1998 and 2006) and policy DM9 of Epping Forest Draft Local Plan 2016.

### *Character and Appearance*

The proposed extension, given its reduced size, would be more in keeping with the overall appearance of the main dwellinghouse. The first floor element has been set off the side boundary with 21 James Street by 1m in order to avoid creating a potential terracing effect.

Given the variety of dwelling designs along James Street this addition and the character and appearance the resultant dwelling would not appear at odds with the character of the surrounding area and the extension would be viewed in conjunction with the host dwelling and the deep flank wall adjacent at 19 James Street. The ground floor element to the rear is also considered to be in keeping with the host dwelling.

Therefore the proposal complies with Local Plan policy DBE10 and policy DM9 of Epping Forest Draft Local Plan 2016

### *Parking*

For a dwelling house, a minimum of 2 parking spaces should be provided. Although the extension would reduce the parking area to the front of the dwelling there is still sufficient space in which to park at least 2 vehicles. Parking policy does not differentiate between an extension to a house providing additional bedrooms and an extension being used as an integral annexe.

Although it is accepted that there is parking pressure in the road, the proposal would still comply with relevant policy and whilst the Town Council's concerns are noted, Officers consider that a refusal on this ground could not be substantiated.

The proposal complies with Local Plan policies ST4 and ST6 and Epping Forest Draft Local Plan policy T1.

*Response to representations made by Epping Town Council and neighbouring occupiers*

With regards to comments made by the Town Council, these have been addressed in the body of the report above. Members may wish to impose a condition relating to the dwelling remaining as a single dwelling, however Officers have not imposed a condition at this stage as planning permission would be required in any case if the dwelling was to be subdivided in the future so a condition is not considered necessary which is one of the tests to be applied when attached planning conditions.

With regards to neighbour comments, the concern that the dwelling may become a house of multiple occupation or a hostel which in turn would result in additional parking stress in the area. These issues have been considered in the main body of the report.

Neighbour comments relating to the proposed design and impact on neighbouring amenity are not as relevant as they were previously as the proposal has been revised. The dwelling is not to be extended to the rear over and above the existing so would not now excessively harm views from open countryside to the rear or neighbours living conditions. In terms of impact on the streetscene, the proposal is not considered incongruous given the varying types of dwellings within James Street.

With regards to impact on house prices, this is not a material planning consideration.

Comments made relating to errors in the application are noted. Dimensional errors could not be found and this point is not expanded on by the objector. It is accepted that the proposed materials suggest brick which according to the application form would match existing brick but the dwelling is rendered. However this would not be reason to refuse to make an application valid. Nor would be the issue relating to trees. There are none along the side boundary that would be affected by the proposal. There is a large conifer hedge to the front of the site which is not shown on the site plan but this does not materially affect the assessment and could be removed without any form or permission.

A condition requesting that materials match the existing can be attached to the permission if granted although the proposed plans indicate the render would match.

**Conclusion:**

In light of the above appraisal, it is considered that the proposal would be an acceptable form of development that would not harm the amenities enjoyed by the occupiers of neighbouring dwellings or the character and appearance of the area. The proposal is to extend the dwelling to the front in order to accommodate an integral residential annexe which is considered acceptable in principle. There is sufficient parking to the front of the existing dwelling and although concerns have been raised locally that the dwelling may be converted into a house of multiple occupation or a hostel, the assessment has been based on what is before Officers and it is considered to comply with national and local plan policy in this instance.

Accordingly, it is recommended that planning permission be granted.

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

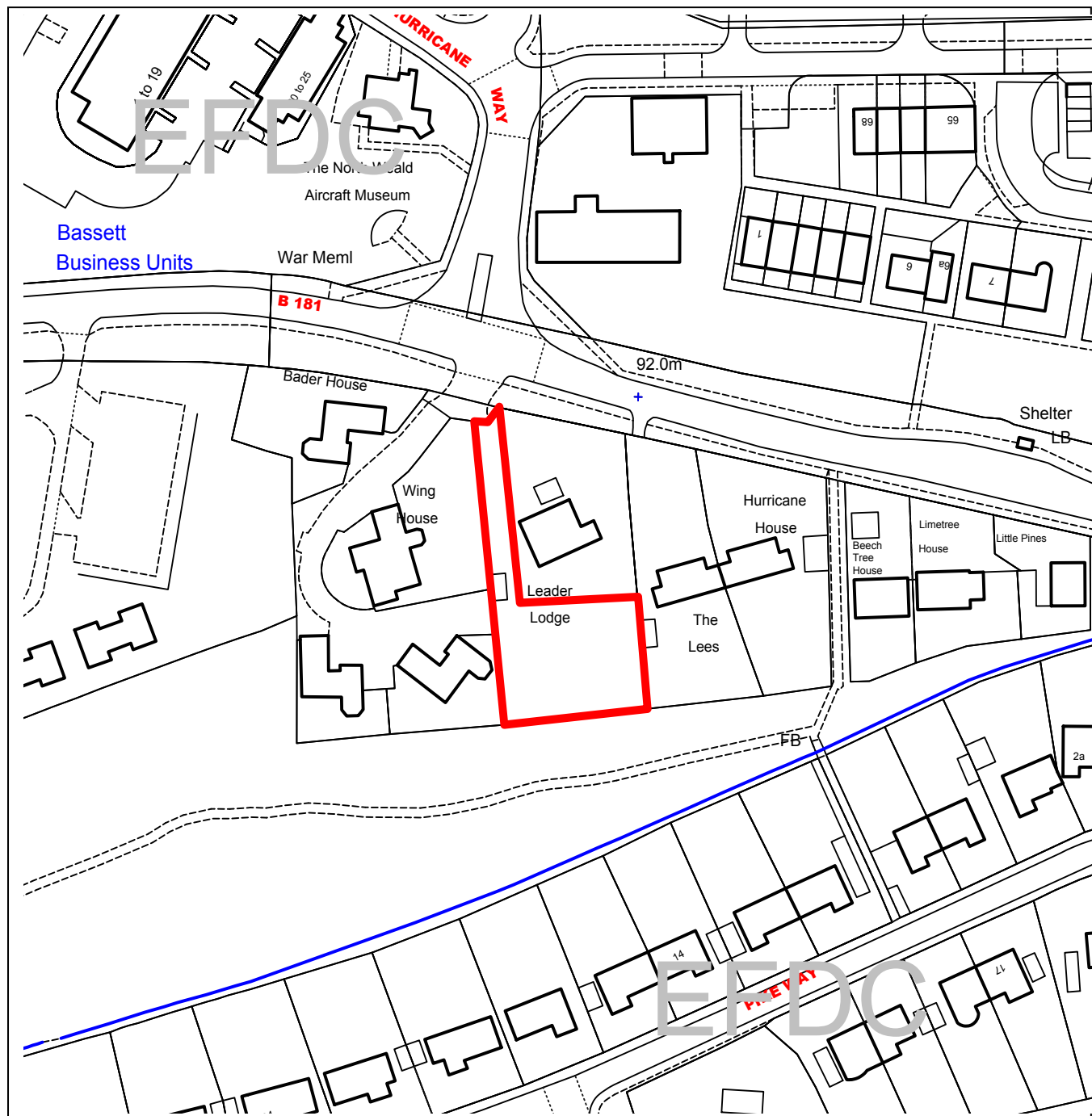
***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564337***

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/3287/16
Site Name:	Epping House, Epping Road, North Weald, CM16 6BJ
Scale of Plot:	1/1250



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/3287/16
<b>SITE ADDRESS:</b>	Epping House Epping Road North Weald Epping Essex CM16 6BJ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Charlie Daniels
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of two dormer windows.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590153](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590153)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed dormer window opening in the northern roof slope facing Leader Lodge shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

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

### **Description of Site:**

Detached house located on the eastern side of Epping Road, North Weald. The site is not within the Green Belt or a conservation area; however there are a number of preserved trees around the boundaries of the site with the access off Epping Road.

### **Description of Proposal:**

Installation of two dormer windows. One dormer would be sited within the northern roof slope facing towards Leader Lodge a detached dwelling to the north. The second dormer would be sited within the southern roof slope facing Roughtalleys Wood to the south.

### **Relevant History:**

EPF/1393/15 - Erection of one dwelling to rear of Leader Lodge

### **SUMMARY OF REPRESENTATIONS:**

North Weald Parish Council and 12 neighbours were consulted and the following comments were received.

PARISH COUNCIL – OBJECTION – on the basis that despite there being no plans attached which detail how this third floor would be accessed or used, this would in effect create a three storey dwelling which would have a detrimental obtrusive impact on Roughtalleys located directly behind the dwelling.

3 WING CLOSE– No objection

### **Policies Applied:**

National Planning Policy Framework 2012

Local Plan 1998 and 2006 (Alterations)

- CP2 – Protecting the rural and built environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions

Epping Forest Draft Local Plan (2016)

DM9 – High Quality Design

### **Issues and Considerations:**

The mains issues to be addressed are:

- Effect on character and appearance
- Effect on neighbours living conditions

#### *Effect on character and appearance*

Policies CP2 and DBE10 seek to ensure that a new development is satisfactory located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be

compatible with the character of the surrounding area, and not prejudice the environment of occupiers of adjoining properties.

There are no objections to the design and appearance of the proposed development. The proposal is appropriate in terms of its size and scale in that it will be in proportion and reflect the character and appearance of the existing building as the dormer windows are of a subordinate size sitting comfortably within the front and rear roofslopes.

Although the rear dormer would be visible to those using Roughtalleys Wood to the rear, the size and design of the dormer will ensure there is not material harm to visual amenity.

The proposal is in keeping with the character and appearance of the surrounding locality and would comply with policies CP2 and DBE10 of the adopted Local Plan and Alterations and Draft Local Plan policy DM9.

#### *Effect on neighbours living conditions*

Policy DBE9 seeks to ensure that an extension would not result in an excessive loss of amenity for neighbouring properties.

Due to the additions size and siting, there would be no material impact on neighbouring occupiers living conditions. The front dormer would be fitted with obscured glazing and the rear dormer would only overlook Roughtalleys Wood.

The dormer window is too far from the rear of dwellings along Pike Way to the south to have any material impact on the living conditions of the occupiers of these properties.

The proposal is considered acceptable in neighbouring amenity terms and is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006) Draft Local Plan policy DM9 (2016).

#### *Response to Parish Council objection*

Although no floor plans were submitted with the application, the impact of the proposal would be external, and can be assessed. Floor plans have been requested to be submitted prior to the committee meeting to inform both Members and Officers; however whatever the space is labelled on plans, it should be remembered that the use of this space, as with any other room within a dwelling house, could be altered at any time.

Although the proposal would result in the house have 3 floors of accommodation this is not considered to have a detrimental obtrusive impact on Roughtalleys Wood to the rear..

#### **Conclusion:**

The proposed development is appropriate in terms of design and appearance and would not result in excessive harm to the amenities of adjoining property occupiers or visual amenity when viewed from Roughtalleys Wood to the south. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the NPPF. It is therefore recommended that permission be granted subject to conditions.

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

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

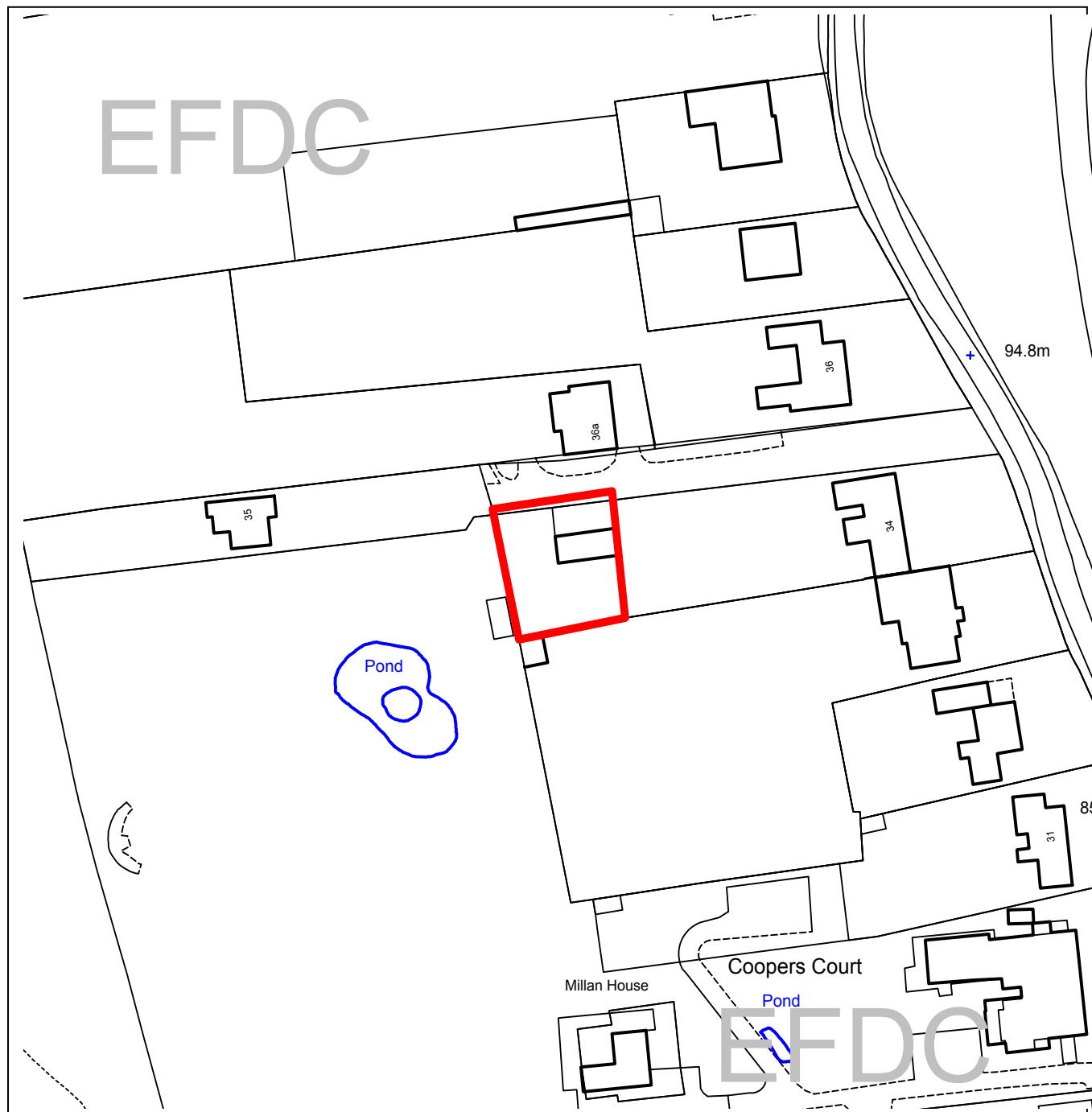
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/3295/16
Site Name:	Rear of 33 Piercing Hill, Theydon Bois, CM16 7JW
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/3295/16
<b>SITE ADDRESS:</b>	Rear of 33 Piercing Hill Theydon Bois Essex CM16 7JW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mrs C. Ballard
<b>DESCRIPTION OF PROPOSAL:</b>	Renovation of existing former coach house with extension to form a single family dwelling (Amended application to EPF/2037/16)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590196](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590196)

**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: FMS\_100, FM\_101 Rev A, FMS\_001 and FMS\_002
- 3 Materials to be used for the external finishes of the proposed development shall match those as outlined on the planning application form, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 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 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works

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

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

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

- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 10 Prior to first occupation of the development hereby approved, the proposed window openings in the east facing elevation (facing No. 34 Piercing Hill) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.



- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 Full details of a scheme for the eradication and/or control programme of Japanese Knotweed, suitable for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the substantial completion of the development hereby approved.
- 13 No development shall commence until a scheme to enhance the nature conservation interest of the site, including tree and shrub planting, grassland planting, bird and bat boxes and log piles has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 14 Prior to any preparatory demolition or construction works commence on site, a great crested newt survey shall be undertaken of pond 1 at a suitable time of year with the survey submitted to the Local Planning Authority for approval. If great crested newts are present a mitigation strategy shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on this protected species. Development shall be undertaken only in accordance with the agreed strategy and methodology.
- 15 Vegetation removal shall take place outside outside the bird breeding season (March to August) unless agreed in writing with the Local Planning Authority and checked by a suitably experienced ecologist.
- 16 An external lighting plan shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Any external lighting shall be installed in accordance with such agreed details.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: 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)

### **Description of Site:**

The application site is a redundant coach house/outbuilding with associated land to the rear of No. 34 Piercing Hill. The site is square in shape with the existing one and a half storey building located to the north east side of the plot. There is vehicular access to the site along an access road which serves 36a and 35 Piercing Hill. Piercing Hill consists of a group of detached villas, built in the 1870's, set within large grounds fronting Piercing Hill – however there are residential properties behind this main building frontage (most relevant No. 36a and 35).

It appears the application building was originally within the grounds of No. 34 but at some time before the 1920's ownership changed to No. 33. The site has since been sold off and is in separate ownership to No. 33 and 34. There is no evidence to suggest that the building has ever been a separate dwelling.

The building itself is rather run down and part of it is very overgrown. It is located parallel to the access road. The site is within the Metropolitan Green Belt but not a Conservation Area.

### **Description of Proposal:**

The application seeks consent for the change of use, conversion and extension of the existing building to a single dwelling with associated parking and garden area. The proposed extension will extend towards the road to a maximum depth of 3.1m, with a maximum width of 5.5m. The proposal will create a gable end fronting the access road with a height to 5.4m. The proposal also includes a raised decking to the rear.

This is a revised scheme to a previously refused application which included a basement and larger extension.

### **Relevant History:**

EPF/2037/16 - Renovation of existing former coach house with extension and basement to form a single family dwelling - Refused

EPF/2092/10 – Residential conversion of redundant Coach House – Refused

EPF/1548/96 – Change of use of coach house to dwelling – Refused

EPF/0446/82 – Change of use to dwelling – Refused and dismissed at appeal

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

LL10 – Adequacy of provision for landscape retention

GB2A – Development within the Green Belt

GB8A – Change of use or Adaptation of Buildings

GB7A – Development conspicuous within or from the Green Belt

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

### **Summary of Representations:**

THEYDON BOIS PARISH COUNCIL – Strong Objection

We note the amendments made to the plans, however, this revised application does not overcome the previous reasons for refusal and therefore should be refused.

Although the current plans show a reduction in scale of the proposed extension together with the removal of the basement, the proposed building would still clearly be materially greater in volume than the existing and therefore not compliant with the NPPF and Local Plan Policies.

It is, however, the change of use which is the main issue and the urbanising impact the proposed re-development would have in this sensitive Green Belt location close to Epping Forest. This urbanisation and intensification of use, which would cause harm to the Green Belt, formed part of the reasons for refusal of the previous application (EPF/2037/16) and these reasons have not been overcome by the changes made in this latest application.

35 Neighbours Consulted:

7 Objections received from the following addresses and summarised below:

30A, 34, 35 and 36 PIERCING HILL

102-104 Queens Road, BUCKHURST HILL

THEYDON BOIS ACTION GROUP

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY

Inappropriate within the Green Belt, overlooking, urbanisation, no very special circumstances, Japanese knotweed on the site, object to principle of the change of use, flooding issues.

### **Issues and Considerations:**

Given that this is a revision to a previous scheme the main issue is whether the revised proposal has overcome the previous reasons for refusal. The full report for the previously refused scheme is copied below for information.

### **Reasons for Refusal**

The previous application was refused by Committee on the following grounds:

1. The proposed development due to the significant and excessive increase in size of the building amounts to inappropriate development harmful to the openness of the Green Belt. In addition the introduction of hard surfacing, parking and domestic paraphernalia further adversely impacts on the openness of the Green Belt and the character and visual amenity of the area. No very special circumstances exist sufficient to outweigh this harm and the development is therefore contrary to policies GB2A, GB8A of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

2. The proposed development due to the size and position of the extension and the introduction of hardstanding, parking and residential paraphernalia, will have an urbanising impact on the rural and open character of the area, contrary to policies CP2, and DBE1 of the Adopted Local Plan and Alterations

The main issues with this proposal are whether the proposal has overcome the previous reasons for refusal. Both reasons relate to the size and position of the extension coupled with the hard surfacing and parking areas.

With regards to the extension the proposal has been reduced in size from 6.2m in depth to 3.1m with the width remaining the same. In addition the proposal has removed the basement part of the previous application. This reduction in size, results in an extension which is not considered excessive or significant in terms of an extension to the existing building. The proposal results in a 22% increase above the original, reduced from a 44%. In addition the reduction in depth, reduces the overall prominence of the proposal as it is now well location within the site, rather than located more prominently on the site boundary. It is not considered that this modest addition to the existing building has an adverse impact on the openness of the Green Belt or on the character or visual amenity of the area.

Limited extensions to existing buildings and the reuse for residential purposes are not inappropriate development in the Green Belt.

The area of hard standing has been reduced in size and located only to the front of the building rather than wrapping around to the side. It is modest in size in comparison to areas of hardstanding in the locality and not out of character with the area.

With regards to parking and residential paraphernalia, the reduction in hardstanding has reduced the parking area and given that this property is surrounded by adjacent garden land it is considered that this reduction has overcome this part of the reasons for refusal. It must be noted that this site was once part of the garden of No. 34/33 and therefore could have previously been used in a very domestic manner with no planning control controls.

Other Issues beyond the Reasons for Refusal

#### *Amenity Issues*

No additional amenity issues are raised with this revised scheme. The nearest residential property is directly opposite the site on the other side of the access road (no. 36A). The proposal will move built form closer to this property, however with this revised scheme this distance increases to a distance of 12m between the flank walls. No first floor windows are proposed facing this property and therefore there are no amenity concerns in terms of overlooking.

With regards to No. 34 the proposed dwelling is located on the shared boundary to this property. Given the distance to the main house of No. 34 it is not considered that the proposal will result in any excessive harm to light or outlook.

With regards to loss of privacy, given the distance of some 45m to the main house this is not considered a significant issue to the privacy of the house. However, due to the location right on the shared boundary, privacy into the garden of No. 34 may be an issue. There are now no roof lights facing No. 34 as these have been deleted but two ground floor windows are still in situ. As these serve a utility room and WC it is considered reasonable that these windows are obscured glazed to avoid any actual or perception of overlooking.

With regards to other properties in the locality these are some distance away (the next nearest some 55m plus). Any possible views will be far reaching and loss of privacy is not considered a significant issue particularly given the low height of the building.

### *Design*

The reduced extension size is considered an acceptable design which follows the scale and design of the existing building and is considered acceptable.

As with the previous scheme, the proposal does result in a new dwelling which has a much smaller residential curtilage than surrounding properties. However this is considered to retain the subservience of this building compared to the larger detached properties fronting Piercing Hill and is not considered to disrupt the general character of the area.

### *Landscaping*

The Tree and Landscape Officer had no objection to the proposal subject to conditions requiring hard and soft landscaping details, tree protection and the removal of excavated material.

From comments received, Japanese Knotweed may be present on site. It is considered reasonable in the interests of habitat protection that a condition is included within any approval ensuring its removal.

### *Habitat and Wildlife Protection*

The original application was accompanied by an Extended Phase 1 Habitat Assessment and a Bat Survey. The Countrycare manager has no objection to the development subject to conditions ensuring the recommendations outlined within the submitted report are implemented.

### **Conclusion:**

The proposal is for a limited extension to an existing building and conversion of a permanent and substantial building to a dwelling. This is not inappropriate development. The lawful use of the land is as residential garden. The area of hardstanding and parking has been reduced and the proposal is not considered to give rise to any further domestic incursion into the Green Belt than if the site was part of a larger garden and no other factors justify a refusal. It is therefore recommended, that given the above assessment that the revised scheme is conditionally approved.

***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: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564414***

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

## **Previous Report EPF/2037/16 – Refused at Committee East 7<sup>th</sup> December 2016**

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)

### **Description of Site:**

The application site is a redundant coach house/outbuilding with associated land to the rear of No. 34 Piercing Hill. The site is square in shape with the existing one and a half storey building located to the north east side of the plot. There is vehicular access to the site along an access road which serves 36a and 35 Piercing Hill. Piercing Hill consists of a group of detached villas, built in the 1870's, set within large grounds fronting Piercing Hill – however there are residential properties behind this main building frontage (most relevant No. 36a and 35).

It appears the application building was originally within the grounds of No. 34 but at some time before the 1920's ownership changed to No. 33. The site has since been sold off and is in separate ownership to No. 33 and 34. There is no evidence to suggest that the building has ever been a separate dwelling.

The building itself is rather run down and part of it is very overgrown. It is located parallel to the access road. The site is within the Metropolitan Green Belt but not a Conservation Area.

### **Description of Proposal:**

The application seeks consent for the change of use, conversion and extension of the existing building to create a single dwelling with associated parking and garden area. The extension will project towards the access road, creating an 'L' shaped building. The extension measures 6.2m in depth and 5.5m wide with a pitched roof creating a gable end fronting the access road with a height to 5.4m. The proposal includes a garage within the extension, a raised decking to the rear and the formation of a basement under both the existing and proposed elements.

### **Relevant History:**

EPF/2092/10 – Residential conversion of redundant Coach House – Refused  
EPF/1548/96 – Change of use of coach house to dwelling – Refused  
EPF/0446/82 – Change of use to dwelling – Refused and dismissed at appeal

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP5 – Sustainable Building  
DBE1 – Design of New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE4 – Design in the Green Belt  
DBE8 – Private Amenity Space  
ST1 – Location of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking

LL10 – Adequacy of provision for landscape retention  
GB2A – Development within the Green Belt  
GB8A – Change of use or Adaptation of Buildings  
GB7A – Development conspicuous within or from the Green Belt

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

### **Summary of Representations:**

#### **THEYDON BOIS PARISH COUNCIL – Strong Objection**

Firstly may we point out that this application is incorrectly recorded as 33 Piercing hill – it is to the rear of 34 Piercing Hill and has had no connection with number 33 for well over 20 years.

This proposal represents inappropriate development in the Green Belt and there are no special circumstances to outweigh the harm which would be caused to the Green Belt. There is a long planning history associated with this site including several previous attempts to convert the building into residential use. All have been refused on sound Green Belt grounds and we see no change of circumstances to affect the outcome this time around.

The proposal shows a significantly larger property than the existing one, even before taking into account the basement area. This is not simply a 'conversion' of a building, but adds an extension and a basement – the latter of which may well result in a virtual re-construction, such that it will constitute a 'new building' in the Green Belt (and certainly one which would be in a new use, as a dwelling, with a residential curtilage).

The NPPF is clear that replacement buildings in the Green Belt are only allowed provided the building is in the same use and not materially larger than the one it replaces. Clearly, the present application does not satisfy either of these criteria and therefore should be refused.

29 Neighbours Consulted:

15 Objections received from the following addresses and summarised below:

30A, 31 (2 letters), 32, 34 (2 letters), 35 and 36 PIERCING HILL  
36 THEYDON PARK ROAD  
59 WOODLAND GROVE  
THE COTTAGE, THEYDON ROAD  
39 BLACKACRE ROAD  
THEYDON BOIS ACTION GROUP  
THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY  
102-104 QUEENS ROAD, BUCKHURST HILL

Inappropriate within the Green Belt, increase in noise and light, overlooking to No. 30A and 34 Piercing Hill, Size of basement should be included within Green Belt assessment, existing right of way from No. 33, overdevelopment of the site, risks to groundwater flows, set a precedent, Japanese knotweed on site.

## **Issues and Considerations:**

The main issues with this proposal are considered to be impact on Green Belt, design and impact on neighbours.

### **Green Belt**

The NPPF provides a list of exceptions to inappropriate development within the Green Belt this list suggests the following may be appropriate:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- 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 replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- 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 NPPF also goes on to suggest that *'the re-use of buildings provided that the buildings are of permanent and substantial construction'* can be acceptable provided they preserve the openness of the Green Belt. In addition to the National policy, Policy GB8A states that Council may grant planning permission for the change of use of a building in the Green Belt provided the building is permanent and of substantial construction, capable of conversion without major changes and that the use would not have a greater impact than the present use.

The building can therefore be converted within the scope of Green Belt policy and the NPPF does allow for extensions to buildings provided these are not disproportionate. Although different strands of the Green Belt policy it is considered that both of these elements apply to this application.

A structural survey was submitted during the course of the application which concludes that the building is capable of conversion even with the provision of the basement. A Building Control Officer has been consulted on the submitted survey and has concluded that it is possible to convert the existing building with careful underpinning however, did caveat the response by suggesting it would be easier and most likely cheaper to demolish and start again. However, the application is for extension and therefore regardless of ease of build or expense (which are not covered by planning legislation) it has been shown that the building is capable of conversion. Therefore it is considered that the building is of permanent and substantial construction.

With regards to the proposed extensions, although a large basement, it will not be visible and therefore does not impact on the character or openness of the Green Belt in this location. The proposed extension adds a forward projecting wing to the existing building and will result in a percentage increase in the region of 44%. This is not considered excessive or disproportionate above the size of the existing building. Clearly any built form can have some impact on the



character and openness of the Green Belt but it is considered in this case, that any impact is minimal given the overall modest size and low height of both the existing building and proposed extension.

In addition and of greater weight is that the NPPF allows for “limited infilling within a village”. This site is surrounded on all sides by residential development or garden land and is within the Village, and the works proposed amount to “limited infilling” of the site. As such the proposal is not inappropriate development within the Green Belt.

The proposal will create a separate dwelling and therefore the proposal includes a residential garden and parking area to the front which will introduce domestic paraphernalia into this area. It is not considered that this will result in harm to the character of the Green Belt given the enclosed nature of the site, and that the lawful use is as garden land.

Given the location of the development within the Green Belt it is considered reasonable to restrict permitted development rights for extensions, roof alterations and outbuildings so that the Council can manage any future development at the site. Additionally for the same reason it is considered reasonable to condition the retention of the garage for the parking of cars/storage to avoid any future need for further outbuildings.

Although there are other outbuildings to the rear of properties in Piercing Hill it is not considered that this proposal will set an unwanted precedent. This proposal is within an established site, directly opposite another residential property, with a further residential property to the rear (which are all behind the main Piercing Hill frontage), the building is capable of conversion, proposing a proportionate extension, has an existing access and in any event it must be stressed that each application is assessed on its own merits.

The previously refused applications were all prior to the publication of the NPPF. Previously, only limited extensions to ‘dwellings’ were listed as exceptions to Green Belt policy. However, with the publication of the NPPF the wording was changed to allow for the extension of ‘buildings’, and limited infilling within a village, as well as change of use of existing buildings. Therefore as described above this proposal is not inappropriate development within the Green Belt.

In addition, given the location and design of the proposal it is not considered that there would be harm to the purposes of including land within the Green Belt.

## Design

The proposed design follows the proportions and design of the existing building and is considered acceptable. The proposal follows a fairly traditional design and materials are to match existing including timber windows.

The proposal does result in a new dwelling which has a much smaller residential curtilage than surrounding properties. However this is considered to retain the subservience of this building compared to the larger detached properties fronting Piercing Hill and is not considered to disrupt the general character of the area.

## Neighbouring Amenity

The nearest residential property is directly opposite the site on the other side of the access road (no. 36A). The proposal will move built form closer to this property, however a distance of 9m will be retained across the access road between the flank walls. No windows are proposed facing this property and therefore there are no amenity concerns in terms of overlooking.

With regards to No. 34 the proposed dwelling is located on the shared boundary to this property. Given the distance to the main house of No. 34 it is not considered that the proposal will result in any excessive harm to light or outlook.

With regards to loss of privacy, given the distance of some 45m to the main house this is not considered a significant issue to the privacy of the house. However, due to the location right on the shared boundary, privacy into the garden of No. 34 may be an issue. Four windows are proposed on the elevation facing the garden of No. 34. However, these are roof lights serving an en-suite and dressing area and at ground floor level a utility room and WC and therefore it is considered reasonable that all of these windows are obscured glazed to avoid any actual or perception of overlooking.

With regards to other properties in the locality these are some distance away (the next nearest some 55m plus). Any possible views will be far reaching and loss of privacy is not considered a significant issue particularly given the low height of the building.

## Other Issues

### *Landscaping*

The Tree and Landscape Officer has no objection to the proposal subject to conditions requiring hard and soft landscaping details, tree protection and the removal of excavated material.

From comments received, Japanese Knotweed may be present on site. It is considered reasonable in the interests of habitat protection that a condition is included within any approval ensuring its removal.

### *Habitat and Wildlife Protection*

The application was accompanied by an Extended Phase 1 Habitat Assessment and a Bat Survey. The Countrycare manager has no objection to the development subject to conditions ensuring the recommendations outlined within the submitted report are implemented.

### *Comments on representations received*

Reference has been made to neighbour comments within the main body of the report above. With regards to any right of way across the site – this is a private legal matter and would not impact on the granting of permission. There would still be sufficient private amenity space available should this right of way be enforced.

.

Whilst the Draft Local Plan proposes a new basement policy which seeks to require detailed drainage and structural investigations for such developments, this is not adopted policy and is at the very earliest stage of the Local Plan therefore can only be afforded limited weight. As such these details can not be required at this time. However, With regards to groundwater flows, as with any development for subterranean development an informative is added to any permission

ensuring the owner/developer is aware of the implications of not thoroughly investigating hydrological and flooding implications of the proposed development.

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

### **Conclusion:**

The proposal is for the conversion of a building that is of permanent and substantial construction and the extension proposed is not considered disproportionate, in addition the development amounts to limited infilling within a village and as such the proposal is not inappropriate development in the Green Belt. It is well designed and will provide a good standard of accommodation within an appropriate location without harm to adjacent living conditions or to the character and amenity of the area.. It is considered that the proposal accords with the adopted policies of the Local Plan and the NPPF and it 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:***

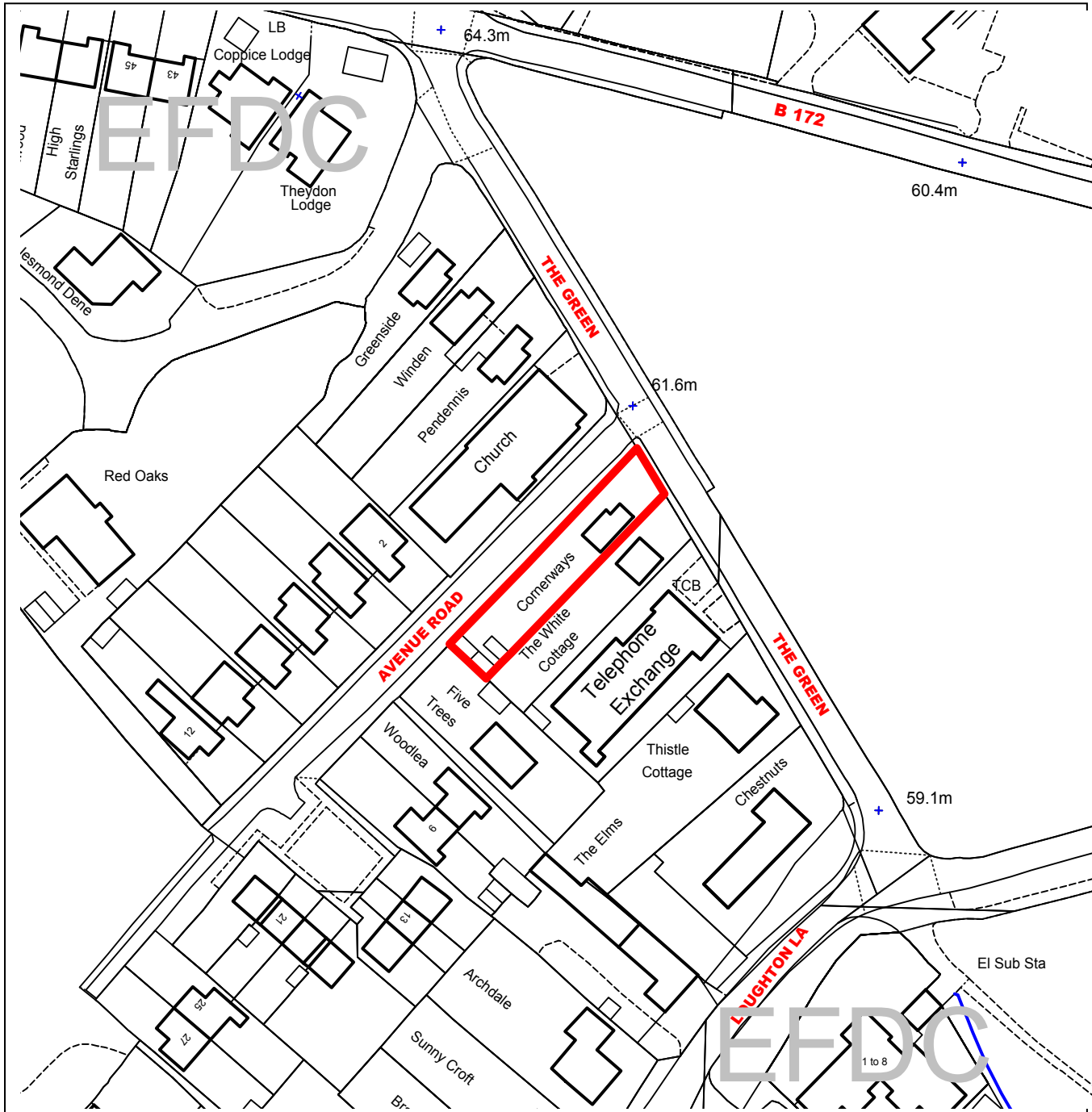
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564414***

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



# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/3403/16
Site Name:	Cornerways, The Green, Theydon Bois, CM16 7JH
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/3403/16
<b>SITE ADDRESS:</b>	Cornerways The Green Theydon Bois Essex CM16 7JH
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr & Mrs Gillespie
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of existing dwelling house with new single family dwelling house and new pavement crossover
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590534](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590534)

**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: A-01, A-02, A-03, A-04a A-05a and A-06
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 5 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.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 The lime tree in the front garden of the site and the ash tree on the site boundary as shown on drawing a-03 hereby approved shall be retained. In the event they are removed, uprooted or destroyed, or die, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no

unexpected contamination was encountered.

- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 12 The balcony shown on the plan hereby approved shall not be used until such time as the glazed screen shown on plan A-05a hereby approved is installed. In the event the screen is damaged, or removed, the balcony shall not be used until such time as the screen has been re-instated. There shall be no alteration or extension to the area of roof used as a balcony without prior consent from the Local Planning Authority.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A,B,C and D of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal. In addition, 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)*

#### **Description of Site:**

The application site comprises a two storey detached dwelling on a corner plot located on the south west side of The Green with a return frontage to the south side of Avenue Road on a site of around 580 sq.m. The existing building has a simple brick and tile form with a hipped gable to the front and other than a small open lean-to at the rear is not previously extended. A single garage is located and the back of the garden with access onto Avenue Road.

The site lies in an area of mixed use which includes predominantly residential properties of varying architectural styles but includes a church on the opposite corner of the Avenue Road junction and the telephone exchange building which abuts the neighbouring house to the south.

### **Description of Proposal:**

The application proposes the demolition of the existing building and erection of a replacement two storey dwelling comprising four bedrooms. The building is of a modern influence design comprising a split pitch roof of two distinct halves with staggered mono-pitch roof profiles; high level windows are located along the south side of the building between the roof lines.

The southern portion aligns at the front with the existing projecting bay and the existing eaves height and is predominantly rendered. The outer portion has a higher roof line and is primarily timber clad at upper level. The building includes side projections at ground and first floor up to the boundary to accommodate a motor cycle store and the staircase at first floor and a zinc cladding system is indicated for the whole roof. A half width balcony terrace is indicated at the rear on the outer half of the building, with an etched glass screen to prevent overlooking of the property to the south. (The White Cottage)

Two additional parking spaces are indicated on the site frontage and the existing access and garage to the rear are shown to be retained.

### **Relevant History:**

None

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP7	Urban form and quality
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE9	Loss of Amenity
LL11	Landscaping schemes
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.

#### *Draft Local Plan:*

At the current time, only limited 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 relevant policies in this case are as follows:

SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy 2011-33
SP6	Natural Environment, Landscape Character and Green Infrastructure
T1	Sustainable Transport Choices
DM5	Green infrastructure – design of development
DM9	High Quality Design



## **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 20

Responses received: Six objections have been received (three from different individuals at the same address) and a further objection from Theydon Bois and District Rural Preservation Society (TBDRPS).

THE WHITE COTTAGE, THE GREEN – (The immediate neighbour to the south)

1. The building line on Avenue Road is substantially breached.
2. The underground nature of the construction to Avenue Road is not typical of the existing homes in the area and out of keeping with the street scene.
3. The "garage" is not intended for car parking, is not suitably segregated from the house and is clearly intended to be used as part of the living space.
4. The pavement crossover so close to the junction with Avenue Road is dangerous and unnecessary.
5. The existing property has off-street parking for two cars as required by Essex Parking Standards.
6. The height of the ridge of the roof is too high.
7. The extent of the building to the rear extends too far from the existing rear wall.
8. The glass balconies to the rear are not in keeping with homes in the area, look directly into the bedrooms of The White Cottage, overlook the garden of The White Cottage and are intrusive.
9. No indication is given in the Application of a Right of Light Assessment.
10. The materials and finishes are entirely out of keeping for the area.
11. The industrial boiler flue is aesthetically unsuitable and should be integrated within the construction, as in all the other homes in the area.
12. There is no evidence in the application of an Asbestos R & D Survey. It is likely in a house of that age that asbestos is present. Demolition without the prior removal of asbestos would cause a serious and dangerous hazard to neighbouring properties and people.
13. There is no guarantee that, once the existing house has been demolished, a new house will be built. Nor is there any guarantee that the spoil will be removed. A demolition site, eventually classed as "brownfield" and thus available for a wider range of development opportunities, would be detrimental to the neighbourhood.
14. The house has lain empty for some nine years and has been allowed to deteriorate to the detriment of the local area. Given this evidence of the disregard that the applicants have for the appearance of the village, there is a substantial risk that the existing house will be demolished and the site left to deteriorate, just as Cornerways has been left to deteriorate.
15. The proposed building would constitute a significant change to the street scene.

THISTLE COTTAGE- THE GREEN- ( which lies to the south of the telephone exchange building)  
3 individual objectors from this address raise similar issues in respect of the building design. They comment:

‘After reviewing the proposed plans for Cornerways, I am quite amazed that such a modern and ugly building has been proposed considering nearby properties. For example The White Cottage, Thistle Cottage, Chestnuts and The Telephone Exchange are all of a traditional design. I am aware the Baptist Church is modern in design but I do not feel that replicating an eye saw would enhance the area..

After looking at the plans for the proposed development of Cornerways I was dismayed to see what looks like a glass balcony has been proposed on the rear upstairs of the property. I am

amazed that anyone has proposed such a feature in a residential area. A balcony will allow the occupants of Cornerways to have an almost unrestricted view of neighbouring gardens for quite a distance. Especially their next door neighbours garden (The White Cottage) In addition the design of the balcony is very modern and not in keeping with the surrounding area.

I object wholeheartedly to a traditional house like Cornerways being raised to the ground and being replaced by such a modern structure.'

2 THE HEIGHTS, FOREST DRIVE- makes similar comments

'I have looked at the proposed plans for Cornerways and I believe the design of the proposed dwelling is too modern to be sympathetic with the rest of the houses in the road.

Especially the wooden cladding and zinc roofing are completely out of character to the area. The design is quite ugly. A traditional house replicating the design of Cornerways and surrounding properties would be sympathetic to the area.

We are aware that the Baptist Church is modern in its design. However, I do not want this modern design replicated in the surrounding area as it is incongruous.'

TBDRPS - also comment on design in more broad terms, as under

'This is quite a modern design with an unusual split pitch roof form and while in itself it is not a bad design, we would question whether the design is suitable for the particular location. Although The Green has an eclectic mix of buildings we are of the opinion that this design is out of keeping with Theydon Bois Village Design Statement and The Green as a putative Conservation Area.

We note that two parking spaces are now proposed to the front of the building where at present there are none and despite there being a garage at the rear. While a tree is being retained there would seem to be insufficient soft landscaping to mitigate this against this parking provision'

PARISH COUNCIL -: Theydon Bois Parish Council objected to the application making the following comments:

'The modern design of the proposed building fails to respect its setting in what is a sensitive location overlooking the Village Green. Most of the Grade II listed, and locally listed, buildings in the Village are centred around the Green and, as such, the area retains a highly traditional character. The proposed replacement building is in stark contrast to the more traditional dimensions and design of the other residential dwellings located around the Village Green. This contrast is further emphasised by the flat-roofed design of the integral garage, the use of zinc roofing and timber cladding, and the irregular roof design.

Concern is also expressed over the fact that the proposed building extends fully to the boundary of this corner plot, including a two storey element along Avenue Road. Extensions sited directly on the boundary of corner plots in the Village have generally not been allowed (supported by Planning Inspector's decisions) to ensure the openness of corner locations. Part of the side elevation of the proposed building, adjacent to the highway, consists of a bricked flank wall at some 2.8 metres in height and to a depth of 7.4 metres. This would give rise to a somewhat stark and austere view, particularly from Avenue Road.

Finally, concern is also raised over the proposed balcony at the rear of the property. It would appear that it is intended for outside seating and is likely to lead to a perception of overlooking of the adjacent garden area.'

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

It should be noted that the application has been amended since consultation. The adjoining occupier particularly raises concerns at rear balcony as originally submitted and this has been altered such that it is now a half-width 4.8m from the boundary, and the garage within the building is now confirmed as for motor cycles not cars.

It is evident that the design of the building is the primary consideration. In this regard, it must be emphasised that the site is not currently within a conservation area, nor is the existing building or any nearby property statutorily listed. Objectors consistently refer to character and context and such character needs to be identified.

The section of The Green between Coppice Row and Loughton Lane houses 9 plots. These include as diverse a mix of buildings as can be found in such a short road frontage – the 1930's telephone exchange (locally listed) in dark red brick with clay tiles, The White Cottage, a simple two storey mid-20<sup>th</sup> century dwelling, the Baptist Church on the opposite corner of Avenue Road with its large glazed front gable probably post war but extended in the 1970/s and Chestnuts a 1950's bungalow substantially extended within the last 5 years and finished in a painted render. All demonstrate an evolution of building styles that is not untypical of development around public open spaces. Officers would argue therefore that the proposals are entirely consistent with this pattern of change and will effectively be the next stage in an ongoing pattern of local renewal and regeneration.

While the contemporary style may not be to individual taste, as the TBDRPS recognise, it does not represent bad design, is of similar height to the existing dwelling and the immediate neighbour and is sited in a position that is consistent with the pattern of building fronting The Green.

The proposals have had regard to the potential impact on surrounding occupiers. The building retains the existing gap on the boundary with The White Cottage (which has a single storey side addition built on the boundary) and has a limited projection at the rear which in view of the orientation of the buildings will have limited direct impact – the application site being north-west of the neighbour.. Concerns at direct overlooking have been addressed in setting the rear balcony (which is not out of place in the overall form of the building) away from the shared boundary and incorporating an etched glass screen to prevent direct views over the neighbours private amenity space. The neighbour also refers to an extract flue on the side elevation but as this lies within the space between the buildings set well back from the frontage, it has minimal visual impact on the street scene or directly on the neighbour.

Concerns at the siting of part of the building immediately abutting the road boundary are noted but extensions built up to side boundaries on corner plots are not uncommon and will have limited impact on the street scene. The frontage provides two parking spaces and a generous amount of landscaping consistent with the adjoining property.

A number of matters raised by the adjoining owner, including issues relating to asbestos, are not relevant to the planning application stage. Little weight is given to comments in relation to the risk of the existing building being demolished and not replaced which is a matter for the applicant primarily.

### **Conclusion:**

The site is located in an area of mixed built form and character where buildings have been altered, extended and replaced over the years reflecting changing ideas in design and materials. It is not within a Conservation Area and not is a location where buildings are designed to a uniform pattern, scale or style.

The introduction of a contemporary building into such a location is therefore consistent with the evolution of the local built environment. It represents a good example of a building of this type, is of a height and scale that is appropriate to its setting when viewed against the neighbouring house, and proposes an appropriate level of development within the overall site context. It is accepted that the style will not be to some people's taste, but individual design preferences should not be the determining factor.

The proposal is sited in such a way that the neighbouring occupiers are not substantially affected following the amendment of the size and siting of the rear balcony, and off street parking to the required standard is provided in a safe accessible location within a landscaped frontage.

In such circumstances, the proposals are consistent with adopted and emerging local and national policy and that 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: Ian Ansell  
Direct Line Telephone Number: 01992 564481***

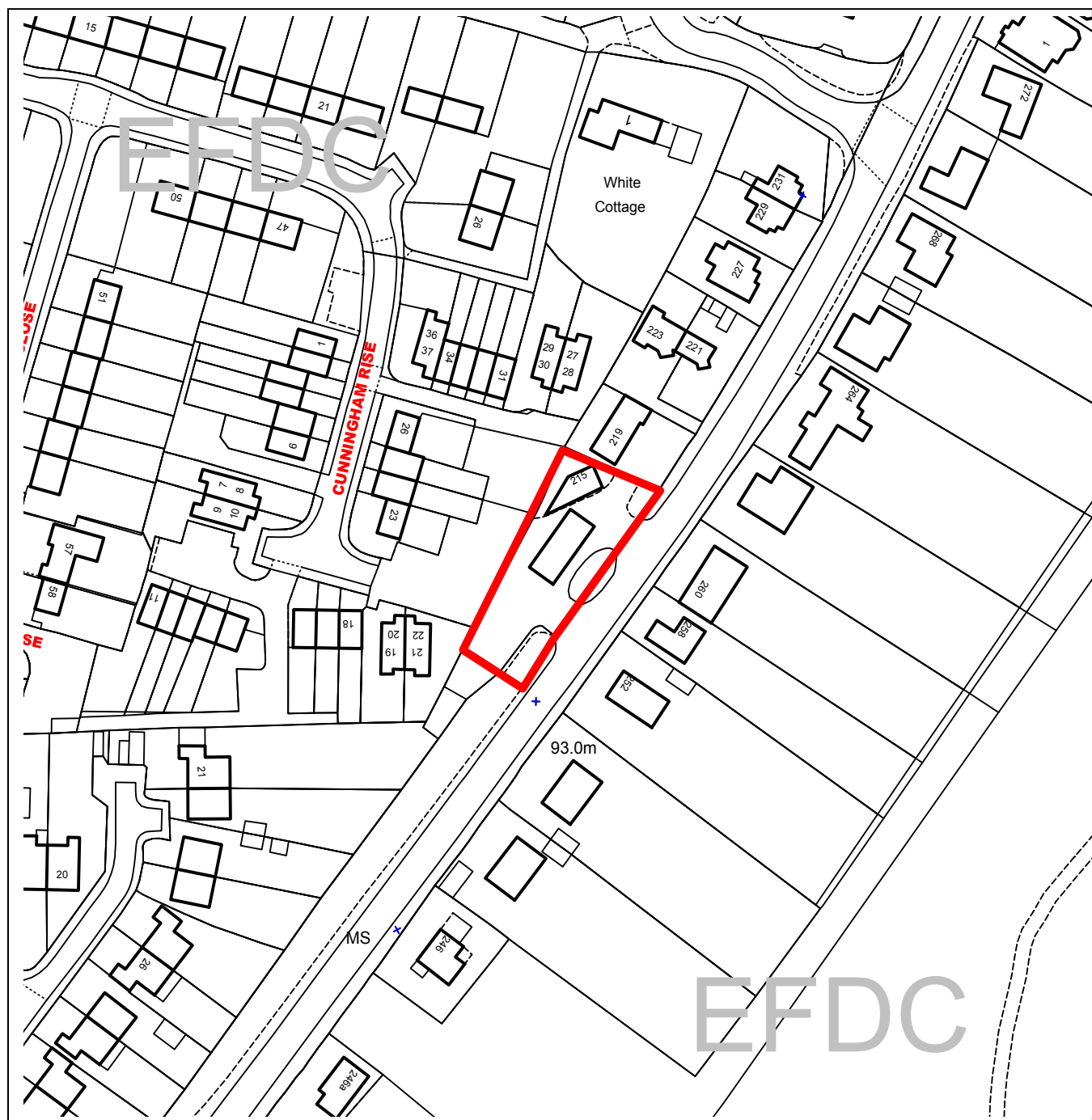
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/0079/17
Site Name:	Harvest Basset Petrol Station, 215 High Road, North Weald, CM16 6ED
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0079/17
<b>SITE ADDRESS:</b>	Harvest Bassett Petrol Station 215 High Road North Weald Essex CM16 6ED
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Cornwall Garage Group Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Raise canopy to garage forecourt.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590853](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590853)

**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 construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No construction works above ground level shall take place until details of the locations of lighting 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 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)*

**Description of Site:**

Bassett Filling Station is a small petrol filling station located on the High Road within the built up area of North Weald. The application site is surrounded by residential properties and does not fall within the Metropolitan Green Belt.

**Description of Proposal:**

The application seeks to enlarge the canopy that covers the forecourt of the filling station by raising the height 1.3 metres and extending its width by 1.5 metres and length by 1 metre.

**Relevant History:**

None Relevant

**Policies Applied:**

CP2 – Protecting the quality of the rural and built environment  
DBE9 – Loss of amenity

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.

Draft Local Plan

At the current time, only limited 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 relevant policies in this case are as follows:

DM9 – High Quality Design  
T2 – Safeguarding of Routes and Facilities

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

26 neighbouring properties were consulted – 2 OBJECTIONS RECEIVED.

28 CUNNINGHAM RISE –: Impact on street scene. Loss of view of sky, devaluation of property, increased traffic and pollution.

30 CUNNINGHAM RISE -: Impact on street scene. The petrol station is poorly maintained

PARISH COUNCIL – OBJECT as the proposal would be ‘visually intrusive’ within the street scene. The Parish council are also concerned light emitted from the canopy will have impact on local residents;

**Main Issues and Considerations:**

The main issues with the proposal relate to the impact of the design and character of the proposal on the street scene and amenity of neighbouring properties.



### Design and Character:

The filling station is an established part of the existing streetscene, set within a predominantly residential area, and has the character suitable to its utilitarian function. The petrol station is a well established local business which has been based on the site since the 1960's. The present canopy has become unsuitable for many modern vehicles and has been damaged on a number of occasions. The new canopy whilst marginally larger and 1.3m higher is of typical design for such sites and will not be harmful to the streetscene or excessively visually intrusive. The replacement of the existing dilapidated and damaged canopy with one that can safely accommodate larger vehicles will result in the improved appearance of this local facility.

### Neighbouring Amenity:

Neither the change in height nor width of the canopy will have any further impact on neighbouring amenity. The canopy will still remain over 20 metres from the properties on Cunningham Rise, meaning that any lighting will have little impact on neighbouring properties. In addition the new lights within the canopy will be angled inwards towards the forecourt to limit any potential harm.

It cannot be argued that the raising of the canopy will increase vehicle movements or pollution, no additional pumps are proposed, and indeed the raised height may well result in fewer reversing and manoeuvring movements of larger vehicles that previously may have attempted to enter the site only to have to reverse back out again.

It is not considered that the change is likely to devalue neighbouring properties, but in any case neither this nor loss of view are material planning considerations..

### Other Issues:

Draft local plan policy T2 seeks to ensure that we don't lose local filling stations and supporting facilities. Without appropriate modernisation, to secure continued usage this important local facility could be lost.

It is noted that application site is within a flood zone, the extension of the canopy will have no further impact on flood risk and will utilise the existing surface water drainage that serves the existing canopy.

### Conclusion:

The proposal would not be detrimental to the character and appearance of the area or to the amenities of neighbours, and it enables the safer usage of an existing local facility, as such it 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***

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