

Committee Agenda



**Epping Forest
District Council**

AREA PLANNING SUB-COMMITTEE WEST

Wednesday, 25th August, 2021

You are invited to attend the next meeting of Area Planning Sub-Committee West, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 25th August, 2021
at 7.00 pm .**

**Georgina Blakemore
Chief Executive**

**Democratic Services
Officer**

Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors S Heather (Chairman), D Dorrell (Vice-Chairman), N Avey, R Bassett, H Kane, S Kane, Y Knight, J Lea, J Leppert, T Matthews, A Mitchell, D Plummer, M Sartin and D Stocker

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

"I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery."

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE**4. MINUTES (Pages 9 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee held on 7th April 2021.

5. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

9. PLANNING APPLICATION - EPF/1223/21 - AVER HOUSE, NURSERY ROAD, NAZEING EN9 2JE (Pages 19 - 28)

To consider the attached report for the demolition of commercial building and replacement with single dwelling.

10. PLANNING APPLICATION - EPF/1501/21 - FIELD STATION, GUNPOWDER PARK, SEWARDSTONE ROAD, WALTHAM ABBEY EN9 3GP (Pages 29 - 34)

To consider the attached report for the proposed erection of a semi permanent canopy over the rear of the Field Station.

11. PLANNING APPLICATION - EPF/1529/21 - 8 THE MAGPIES, EPPING UPLAND, EPPING CM16 6QG (Pages 35 - 40)

To consider the attached report for the removal of existing conservatory and erection of part single storey and part two storey rear extensions.

12. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

Agenda Item 2

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes, all our meetings are open for you to attend. Only in special circumstances are the public excluded. If you wish to observe meetings live you can view the webcast on the Council's website at: <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Committee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are generally allowed: Only one objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

What can I say?

You will be allowed to have your say about the application, but you must bear in mind that you are limited to **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices, or will be admitted to the meeting virtually via Zoom. Speakers must NOT forward the Zoom invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your statement to: democraticservices@eppingforestdc.gov.uk

Can I give the Councillors more information about my application or my objection?

Yes, you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://www.eppingforestdc.gov.uk/> Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services.

Area Planning Sub-Committee West 2021-22
 Members of the Committee and Wards Represented:

				
Chairman Cllr Heather	Vice Chairman Cllr Dorrell	Cllr Avey	Cllr Bassett	Cllr Knight
Waltham Abbey Honey Lane	Waltham Abbey Paternoster	Broadley Common, Epping Upland and Nazeing	Lower Nazeing	Lower Nazeing
				
Cllr Sartin Roydon	Cllr Matthews Waltham Abbey High Beach	Cllr S Kane Waltham Abbey Honey Lane	Cllr Stocker Waltham Abbey Honey Lane	Cllr Lea Waltham Abbey North East
				
Cllr Mitchell Waltham Abbey North East	Cllr Leppert Waltham Abbey Paternoster	Cllr H Kane Waltham Abbey South West	Cllr Plummer Waltham Abbey South West	

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Agenda Item 4

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 7 April 2021
West

Place: Virtual Meeting on Zoom **Time:** 7.00 - 8.04 pm

Members Present: D Dorrell (Chairman), J Lea (Vice-Chairman), N Avey, R Bassett, S Heather, H Kane, S Kane, J Leppert, D Plummer, M Sartin and D Stocker

Other Councillors:

Apologies: Y Knight and A Mitchell

Officers Present: J Godden (Heritage, Enforcement & Landscaping Team Manager), A Prince (Trainee Planning Officer), A Hendry (Democratic Services Officer), V Messenger (Democratic Services Officer) and P Seager (Chairman's Officer)

73. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

74. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

75. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 10 March 2021 be taken as read and signed by the Chairman as a correct record.

76. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of member Conduct.

77. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

78. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

79. SITE VISITS

The Sub-Committee Members noted that for the duration of the coronavirus pandemic, any planning applications deferred for a site visit at an Area Planning Sub-Committee would be automatically referred to the District Development Management Committee (or Council) for determination.

There were no formal site visits requested by the Sub-Committee.

80. PLANNING APPLICATION - EPF/2932/20 STONESHOT FARM, HOE LANE, NAZEING EN9 2RN

APPLICATION No:	EPF/2932/20
SITE ADDRESS:	Stoneshot Farm Hoe Lane Nazeing Waltham Abbey EN9 2RN
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Oliver Myrants-Wilson
DESCRIPTION OF PROPOSAL:	Application for Variation of Condition 2 'Plan numbers' of EPF/3500/17 allowed on appeal (Demolition of existing industrial buildings, vacant stabling & 5 bedroom residential apartment and construction of x18 no. semi-detached family houses and x18 no. 'affordable houses' with associated off-street parking, private gardens & landscaping).
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=645901

CONDITIONS

- 1 The development hereby permitted shall begin not later than 15.03.2022.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: F126/20/S73/PL; 10.01, 10.02, 10.03, 10.04, 20.01, 20.02, 20.03, 30.01, 30.02, 30.03, 30.04, 30.05, 30.06, 1000, 1001, 2000, 2001
- 3 No construction works above ground level shall take place until samples of the types and colours of the external facing materials 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.
- 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any other order revoking, further amending or re-enacting that order) no extensions or outbuildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the local planning authority.
- 7 Prior to any lighting being installed along the road leading to the new development, a detailed lighting scheme following the Bat Conservation Trusts guidelines shall be submitted to and approved in writing by the local planning authority. Any lighting thereafter installed shall be in accordance with the approved details.
- 8 Prior to any work being done to trees along the road leading to the new development, an updated bat survey of these trees shall be submitted to and approved in writing by the local planning authority. Any further surveys, licenses or mitigation recommended by this survey shall also be undertaken and shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works to the trees.
- 9 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.

- 10 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the local planning authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the local planning authority gives its written consent to any variation.
- 11 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 12 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the local planning authority prior to commencement of development. The assessment shall include calculations of increased run off and associated volume of storm detention using WinDes or other similar practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 13 No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved by the local planning authority:
 - a) A site investigation scheme based on the Phase 1 Desktop Study report (Herts and Essex Site Investigations September 2013) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - b) The results of the site investigation and detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures.
 - c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
- 14 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

- 15 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the local planning authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the local planning authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
- 16 Should the Phase 1 Land Contamination preliminary risk assessment carried out under condition 15 identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the local planning authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the local planning authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
- 17 Should Land Contamination Remediation Works be identified as necessary under condition 16, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the local planning authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long-term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

- 18 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the local planning authority for approval. The approve monitoring and maintenance programme shall be implemented.
- 19 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with the immediately above condition.
- 20 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 1830 hours Monday to Friday and 0800 to 1300 hours on Saturday and at no time during Sundays or Public/bank holidays unless otherwise agreed in writing by the local planning authority.
- 21 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation.
- 22 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 23 Prior to first occupation of the dwellings hereby approved a biodiversity enhancement plan shall be submitted to and agreed in writing by the local planning authority. This should include the recommendations in the Ecology report dated December 2017 by Applied Ecology Ltd and include bird and bat boxes.

- 24 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active bird nests immediately before the vegetation is cleared/demolition is started and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. As such written confirmation shall be submitted to and approved in writing by the local planning authority.

81. PLANNING APPLICATION - EPF/0161/21 CEDAR LODGE, MOTT STREET, WALTHAM ABBEY E4 7RW

APPLICATION No:	EPF/0161/21
SITE ADDRESS:	Cedar Lodge Mott Street Waltham Abbey E4 7RW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Demolition of existing structures, alterations to existing vehicular access, retention of existing dwelling, Construction of one detached four bedroom house and provision of associated parking and landscaping.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=647273

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 shall be carried out and retained strictly in accordance with the following approved plans: TS19-157-1, 2833.2, 2833.3, 2833.4, 2833.5, 2833.9, 2833.10, 2833.12B, 2833.13A and 2833.16.
- 3 Prior to preliminary ground works taking place, details of foul & surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

- 4 No preliminary ground works shall take place until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted to and approved by the planning authority, in writing, and the development shall be carried out strictly in accordance with the approved scheme and programme.
- 5 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 6 For the trees shown to be retained, no development, including works of demolition or site clearance, shall take place until Tree Protection (in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been installed at the edge of the calculated rooting area as shown on The Tree Bureau 'Tree Constraints Plan' drawing number TCP7600 dated 21st December 2020. It shall be retained throughout development activities unless agreed otherwise with the Local Planning Authority.
- 7 No ground works 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.
- 8 No construction works above ground level shall take place until (documentary and photographic) details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 Hard and soft landscaping shall be implemented as shown on The Tree Bureau 'structural landscape plan' drawing number LAND7600 dated 21st December 2020 and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations. 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.

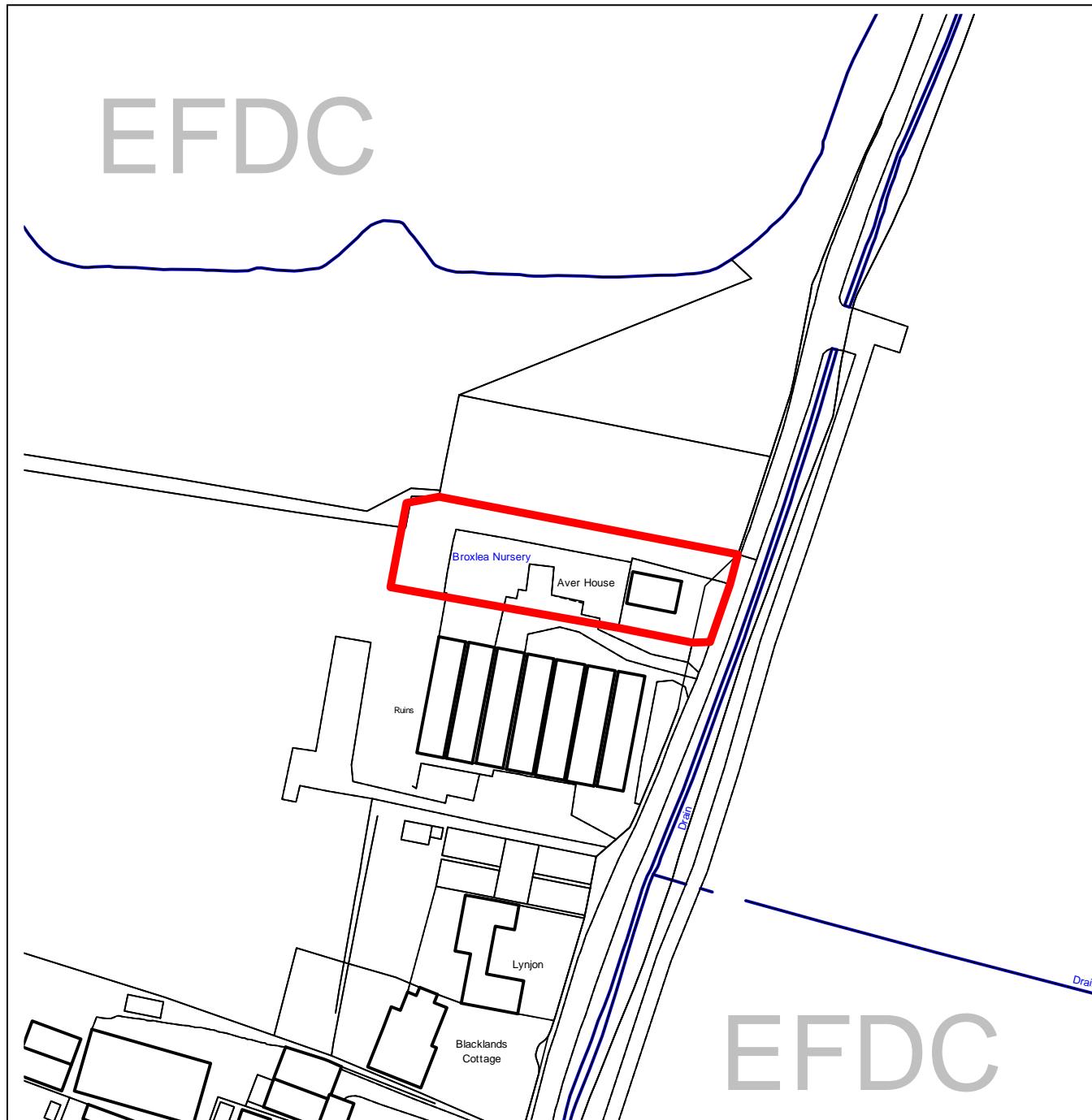
- 10 Following completion of the measures identified in the approved remediation scheme, and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 12 The building hereby permitted shall not be occupied until the window(s) in the flank elevation(s) at first floor level and above, have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.
- 13 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling, shall be installed and retained thereafter for use by the occupants of the site.
- 14 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 15 Prior to first occupation of the development, the recommendations as set out in the Ecological Survey by John Dobson - Essex Mammal Surveys (dated April 2019) shall be implemented in full and retained as such.
- 16 Prior to first occupation of the building hereby permitted, the buildings/extensions shown to be demolished on the approved plans, shall be removed from the site.
- 17 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 18 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- 19 There shall be no discharge of surface water onto the Highway.
- 20 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 21 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority
- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A & E of Part 1 to schedule 2 shall be undertaken.
- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
- 24 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.

CHAIRMAN



Epping Forest District Council



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prosecution or civil proceedings.

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Application Number:	EPF/1223/21
Site Name:	Aver House Nursery Road Nazeing EN9 2JE
Scale of Plot:	1:1250

Report Item No:

APPLICATION No:	EPF/1223/21
SITE ADDRESS:	Aver House Nursery Road Nazeing Waltham Abbey EN9 2JE
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Kevin Ellerbeck
DESCRIPTION OF PROPOSAL:	Demolition of commercial building and replacement with single dwelling.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=651913

REASON FOR REFUSAL

- 1 The proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances. Moreover, by reason of its scale, height and siting, the proposal would result in a significant reduction in the openness of the Green Belt. Consequently, the development is contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations, policy DM4 of the Local Plan (Submission Version 2017) and the objectives of the National Planning Policy Framework.
- 2 In the absence of a S106 Agreement, the proposed development fails to deliver the necessary contributions towards monitoring the affects of air quality on the integrity of the Epping Forest Special Area for Conservation to make the development acceptable with regard to the impact on the Epping Forest SAC. As such, the development is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM 2 and DM 22 of the Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.

This application is before this Committee since it has been 'called in' by Councillor Richard Bassett (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site is a roughly rectangular plot with a single storey building (last in use as a B8 Storage building) fronting onto Nursery Road within the rural area of Nazeing. Directly to the south of the site is a development site in the latter stages of construction for 4 detached dwellings that replaced mushroom farm buildings. To the south of this is a ribbon of detached properties all on the same side of the road as Aver House. Nursery Road is a private road, and has the appearance of a country lane with properties only on one side opposite a robust hedge/tree line

which reinforces the rural appearance. The site is within the Metropolitan Green Belt and flood zone 2.

Description of Proposal:

The application seeks consent for the demolition of the existing storage building and replacement with a 2 storey property with front and rear projections and attached double garage (this is exactly the same design as the four properties to the south). This application is in effect the same as the previously submitted application EPF/0196/19 which was refused with the only addition for this submission an Addendum Planning Statement, and EPF/0858/20 which was refused by DDMC and currently with the Planning Inspectorate as it has been appealed.

Relevant History:

EPF/1200/21 - Application for Prior Approval for the demolition of the existing buildings and erection of a new dwelling in their place (resubmission) – Not Lawful

EPF/2711/20 - Prior approval for the demolition of existing building and construction of one new dwelling in its place. (Resubmission) – Not Lawful currently with the Planning Inspectorate as has been appealed.

EPF/0858/20 - Demolition of a commercial building and replacement with a single dwelling – Refused at DDMC currently with the Planning Inspectorate as has been appealed.

EPF/0196/19 - Demolition of a commercial building and replacement with a single dwelling – Refused

EPF/1582/18 - Prior approval for proposed change of use from storage unit (Class B8) to residential dwelling (Class C3) – Prior approval granted

Policies Applied:

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2 – Protecting the quality of the Rural and Built Environment

DBE1 – Design of new buildings

DBE2 - Effect on neighbouring properties

DBE5 – Design and Layout of new development

DBE8 – Private amenity space

DBE9 – Loss of amenity

GB2A – Development in the Green Belt

GB7A – Conspicuous development in the Green Belt

ST01 – Location of Development

ST06 – Vehicle Parking

LL10 – Adequacy of provision for landscape retention

NPPF 2021:

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the

NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph	60
Paragraph	126
Paragraph	137 - 151

Epping Forest District Local Plan (Submission Version) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy		Weight
DM2	Epping Forest SAC and the Lee Valley SPA	Significant
DM3	Landscape Character, Ancient Landscapes and Geodiversity	Significant
DM4	Green Belt	Significant
DM9	High Quality Design	Significant
DM10	Housing Design and Quality	Significant
DM22	Air Quality	Significant
T1	Sustainable Transport Choices	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 21 - No responses received

NAZEING PARISH COUNCIL: No objection and that the Council supports the application and requests that it should be considered by Area West Plan Sub-Committee and not dealt with by the officers under delegated powers. The Council supports the application because

- i) It replaces an existing building
- ii) The application is a small-scale development
- iii) The house is positioned at the end of the existing row of houses
- iv) The position of the proposed dwelling means that it does not affect the views of open countryside
- v) There have been no objections from the immediate neighbours of the proposed development.

In the event that the application is referred to Committee, the Council would wish to attend the meeting and make representations.

Main Issues and Considerations:

Green Belt

The site is wholly within the Metropolitan Green Belt, located some 600m+ outside of the defined village of Nazeing with no development connecting the two areas. As described above the site is within an area that is more rural and distinct in character than the built up area to the south east which is within the defined built up area of Nazeing.

The supporting information states that the development is an infill proposal within the Metropolitan Green Belt, however it is the Council's view that firstly the proposal is outside of the village enclave due to the separation of this small ribbon of development from the main built up and this small ribbon is not classed as a village in its own right. Secondly the application site is not considered an 'infill' site as it is at the end of a small row of properties, with development only on one side so therefore this does not meet the Council's definition of infill since it does not infill an 'otherwise continuous row of built development'.

The NPPF is clear that an exception to Green Belt policy is 'limited infilling in villages', however as outlined above it is not considered that this site is within a village or classed as limited infill.

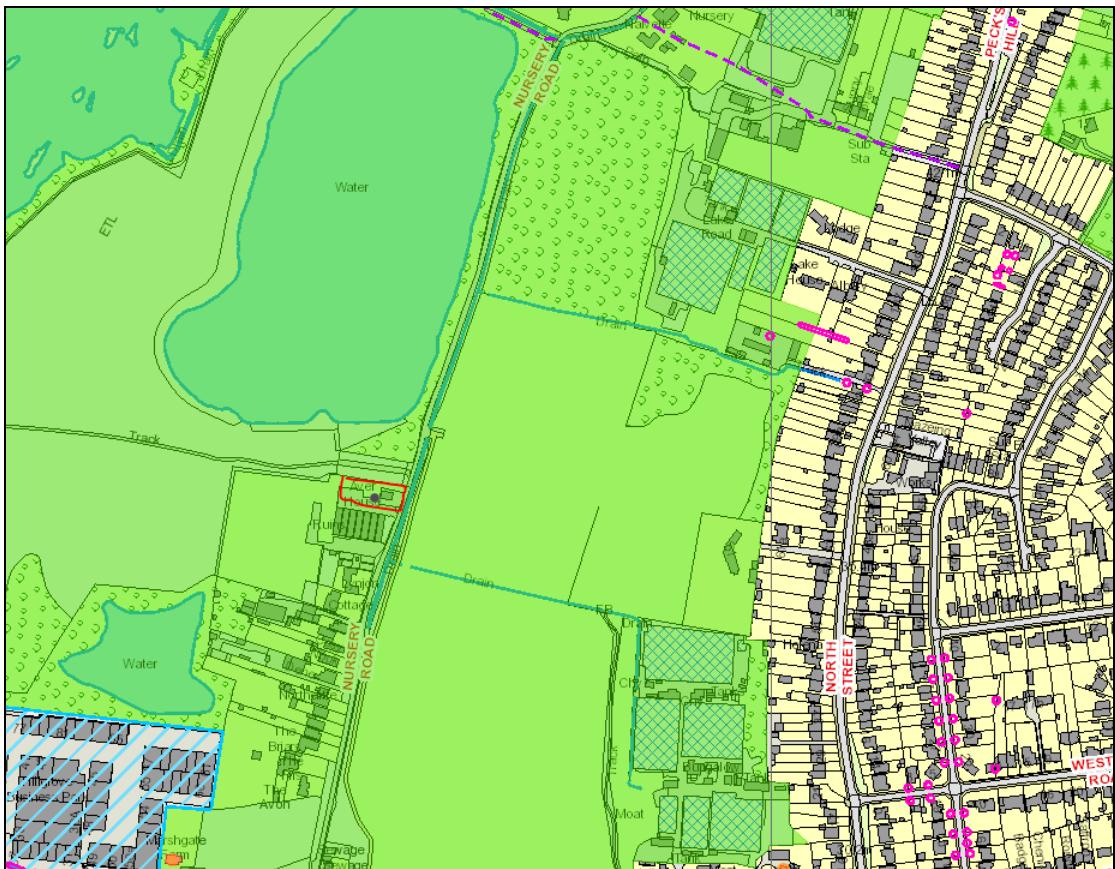


Fig.1 Showing site outlined in red within Green Belt (shaded green) in relation to village envelope (not shaded green)

Notwithstanding the above infill discussion, and although not used as an argument by the applicant, it is clear that the site would constitute previously developed land. Nonetheless it does not fall within the second exception of the NPPF:

limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development;’.

The proposed two storey dwelling scheme is far larger than the existing single storey building, extending up to the side boundaries, two storey in height and with a far greater depth and overall projection into the site and therefore the proposal will have a far greater impact on the openness of the Green Belt than the existing built form.

The adjacent site gained approval at Committee as it was considered an infill site between this current application site and the residential properties to the south, although Officers did not promote this given it is outside of the village envelope. The current application site cannot benefit from this same circumstance as there is no site to the north to make it an infill.

Updated information submitted with this application looks in detail at the previous reason for refusal.

Taking each additional point in turn; the applicant insists the site is an infill. As above this is not considered the case by Officers

The applicant insists the site is within a village. Again as stated above and shown within the map extract the site is not within a village. A ribbon of development within the Green Belt is not classed as a village.

At present there is no 'fallback' position for demolition and rebuilding a detached dwelling as no prior approval application has been approved.

The site is considered 'previously developed land' but as above the proposal would have a far greater impact on openness than the existing building.

The additional information also suggest that proposal should be approved due to the very special circumstances (VSC) that apply. These are outlined below as put forward by the applicant:

The provision of rear amenity space.

Housing Need as EFDC only have a 1.45 year supply

Substantial Fallback

The site is PDL

It is not considered that these circumstances either alone or combined justify 'VSC' on this site.

In addition to the updated information, the applicant has also submitted further documents during the course of the application with particular regards to the Housing Supply of the District.

The first of this information relates to an appeal decision outside of the District (a joint appeal at Welwyn Hatfield Borough and St Albans City and District Council) for 100 homes that was allowed at appeal and is located within the Green Belt. The Applicant for this current application is drawing comparisons as both Councils in this case fell short of their 5 year land supply as is this case within this District. However, although the Inspector for this case gave the shortage weight, he also gave weight to the provision of 45% of the homes being affordable and a further 10% of homes being self-builds and therefore it is not considered comparable to this current application. The Inspector for this appeal made it clear that '*These factors, when considered collectively demonstrate that very special circumstances do exist.*'

The Applicant has also drawn reference to an Appeal decision within the District at Borders Lane (Playing Field and College Sites). The Inspector granted planning permission for a total of 424 dwellings (not in the Green Belt). Again although the Inspector specifically credits the housing land shortage within his reasoning, he particularly stresses the numbers of market housing that this scheme will provide coupled with the policy compliant (at least for one of the sites) level of affordable housing that will be provided. In addition this site is not within the Green Belt and is an allocated site within the LPSV. Again it is not considered comparable to this application for one additional dwelling.

Design

The design of the proposal is the same as those properties being built to the south. Although not rural in character, the proposal will not disrupt the streetscene as it will match the neighbouring properties.

Impact on Amenity

The proposed dwelling will be located within 1m of the shared boundary with the adjacent plot 4. Given the layouts will be similar and the sufficient separation, the proposal is not considered to raise any amenity concerns.

SAC and Air Quality

The site is not within the 3.2km buffer around the Epping Forest Special Area of Conservation (SAC) and therefore a contribution towards recreational mitigation is not required for any new dwelling.

Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV).

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concludes that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

1. Recreation activities arising from new residents (recreational pressures); and
2. Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

1. The site lies outside of the 6.2 km Zone of Influence as identified in the 'Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development will not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development would not result in a net increase in traffic using roads through the EFSAC. Therefore the proposal will not result in a likely significant effect on the integrity of the EFSAC as a result of atmospheric pollution.

On this basis the Council is satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal. Notwithstanding the above, a contribution is required of £352 (per a dwelling) towards the continued monitoring of effects on air quality within the EFSAC. In the absence of a S106 the proposal is currently contrary to policy.

Flood Risk

The Council's Land Drainage Engineer has no objection subject to conditions.

Conclusion:

Given the above discussion, it is recommended that planning permission is **refused**.

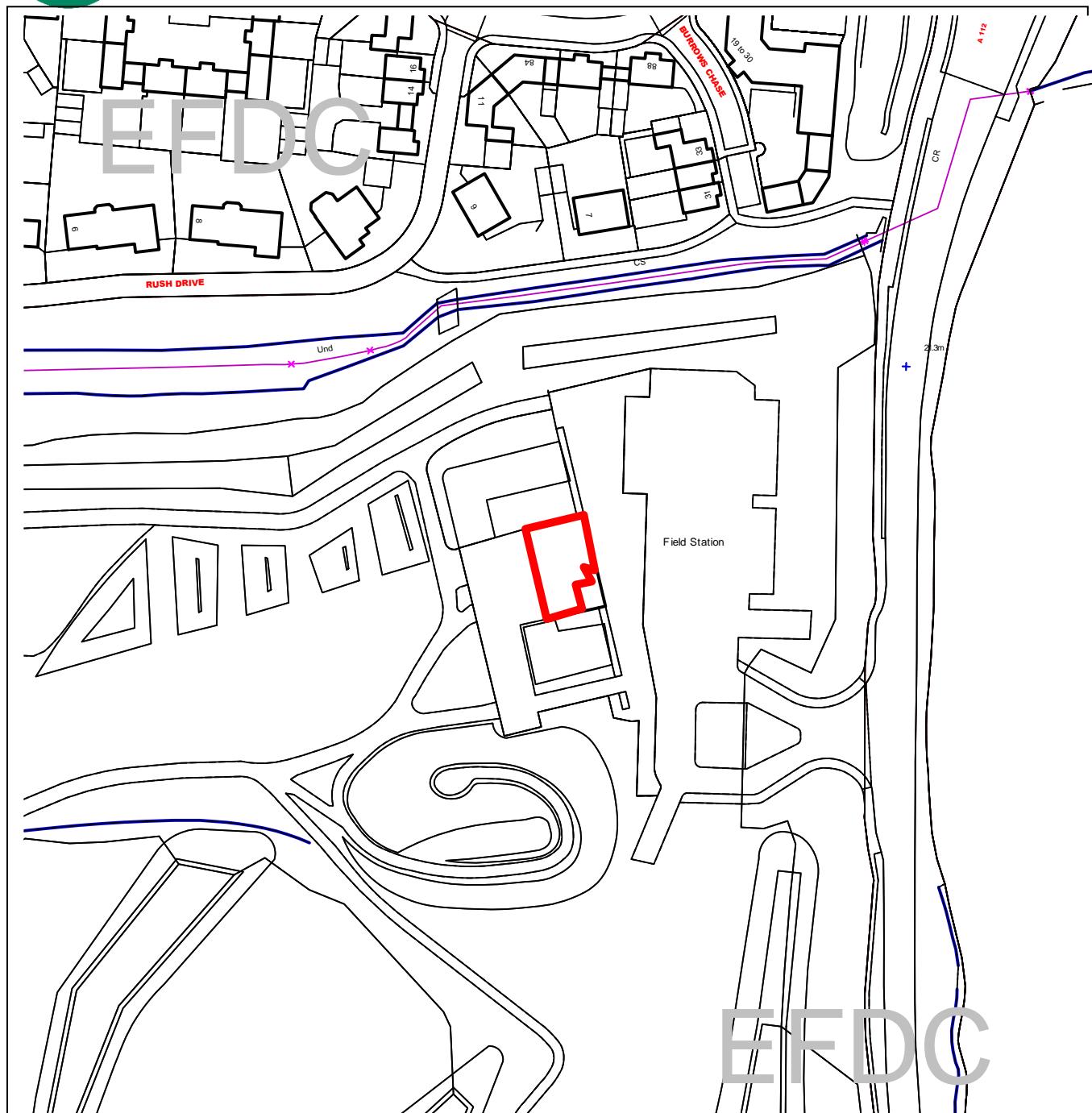
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***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



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Application Number:	EPF/1501/21
Site Name:	Field Station Gunpowder Park Sewardstone Road Waltham Abbey EN9 3GP
Scale of Plot:	1:1250

Report Item No:

APPLICATION No:	EPF/1510/21
SITE ADDRESS:	Field Station Gunpowder Park Sewardstone Road Waltham Abbey EN9 3GP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mrs Jaine Alderson
DESCRIPTION OF PROPOSAL:	Proposed erection of a semi permanent canopy over the rear of the Field Station.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653114

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: location plan, site plan, proposed elevations.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building [or those shown on the proposed elevations, unless otherwise agreed in writing by the Local Planning Authority].
- 4 The development hereby approved shall be non-illuminated and remain in that position thereafter.

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, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site has a D2 (assembly and leisure) use (which is now categorised as an F2 use under the latest Use Classes Order) and is located within the Gunpowder Park on the Western side of Sewardstone Road south of Waltham Abbey. The site is not a Listed Building and is not within a Conservation Area. The site is wholly within the Metropolitan Green Belt.

Description of Proposal:

Proposed erection of a semi-permanent canopy over the rear of the Field Station. The canopy would be 11 metres in width, 10 metres in depth and 3.3 metres in height.

Relevant site history

EPF/1850/17 - Change of use of The Field Station to Use Class A1 (Cycle Retail/Hire) – Grant Permission (With Conditions)

EPF/2165/19 - Change of use of the Field Station to Class D2 – Grant Permission (With Conditions)

Policies Applied

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

- SP1 – Presumption in favour of sustainable development
- SP5 – Green Belt and district open land
- CP1 - Achieving Sustainable Development Objectives.
- CP2 - Protecting the Quality of the Rural and Built Environment.
- GBA2 - Development in the Green Belt
- GB10 – Development in the Lee Valley Regional Park
- H2A - Previously Developed Land.
- DBE2 - Effect on Neighbouring Properties
- DBE9 - Loss of Amenity.
- RST1 - Recreational, Sporting and Tourist Facilities.

National Planning Policy Framework (NPPF) (2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 124
Paragraph 127
Paragraph 130
Paragraph 131
Paragraph 133 - 145

Epping Forest District Local Plan Submission Version (LPSV) (2017)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM4 Green Belt	Significant
DM9 High Quality Design	Significant
D4 Community, leisure and cultural facilities	Significant

Summary of Consultation

No of neighbours consulted: 4 – 4 objections received, and 14 further comments received.
6 Rush Drive – Objection – concern regarding the noise caused from the use as a result of the proposal
3 Rush Drive – Objection - concern regarding the noise caused from the use as a result of the proposal
10 Rush Drive – Objection - concern regarding the noise caused from the use as a result of the proposal
4 Rush Drive – Objection – concern regarding the impact of noise on the park users and the potential for anti-social behaviour due to the erection of the canopy. Concerns regarding the choice of materials and how they fit within the character of the park.

32 Denny Avenue – Support
5 Daleside Gardens – No Objection
58 Drysdale Avenue – No Objection
27 Cloverfield, Harlow – No Objection
40 Roding View, Buckhurst Hill – No Objection
5 Allmains Close – No Objection
26 Millcrest Road, Goffs Oak – Support
53 Carnavon Avenue, Enfield – Support
94 Russell's Ride, Cheshunt – No Objection
14 Bridgend Road, Enfield – Support
93D Turners Hill, Cheshunt – No Objection
24 Malkin Drive, Church Langley – No Objection
11 Rahn Road – Support
104 Roundhills – Support

TOWN COUNCIL: OBJECTION – The Committee objected to this application for safety concerns and concerns regarding possible anti-social behaviour that could occur. If the LPA are minded to approve this application, could a mitigation of noise be implemented.

LEE VALLEY REGIONAL PARK AUTHORITY: COMMENT – recommend that the proposal is revised by reducing the width to better protect a living green wall, as well as requesting a condition be added to avoid illumination of the canopy.

Main Issues and Considerations

The main issues to consider for the assessment of this application are as follows:

Impact on the living conditions of neighbours

Development within the Green Belt

Design

Impact on Living Conditions

Several neighbours have objected to the proposal in regard to excessive noise potentially causing excessive harm to the living conditions of neighbours. When measuring the distance from the field station to the nearest dwelling at Rush Drive, the minimum distance would be approximately 60 metres. Due to the distance, it is considered that there would not be excessive harm caused to neighbours as a result of this proposal. There is no proposed change to the hours of operation as part of this scheme that would exacerbate any further noise issues on the site and it would therefore be unreasonable to add a condition restricting this issue further.

Green Belt

Due to the nature of the proposal and its relevance to appropriate outdoor recreation, it is considered that the scheme would not cause harm to the character and openness of the surrounding green belt and meet one of the exceptions to inappropriate development.

Design

A neighbour has objected to the proposal regarding the proposed materials and the impact on the character of the area. It is considered that the materials put forward would be acceptable in this location and that there would not be a detrimental impact on the character and appearance of the surrounding area as a result of this.

Other matters

The Lee Valley Regional Park Authority were consulted on the application and commented that it would be beneficial to reduce the width of the canopy so as to better protect a living green wall. This has been agreed. It would also be reasonable to add a condition restricting any illumination on the canopy itself.

Conclusion

Following on from the reasons above, it is recommended that planning permission is granted subject to conditions.

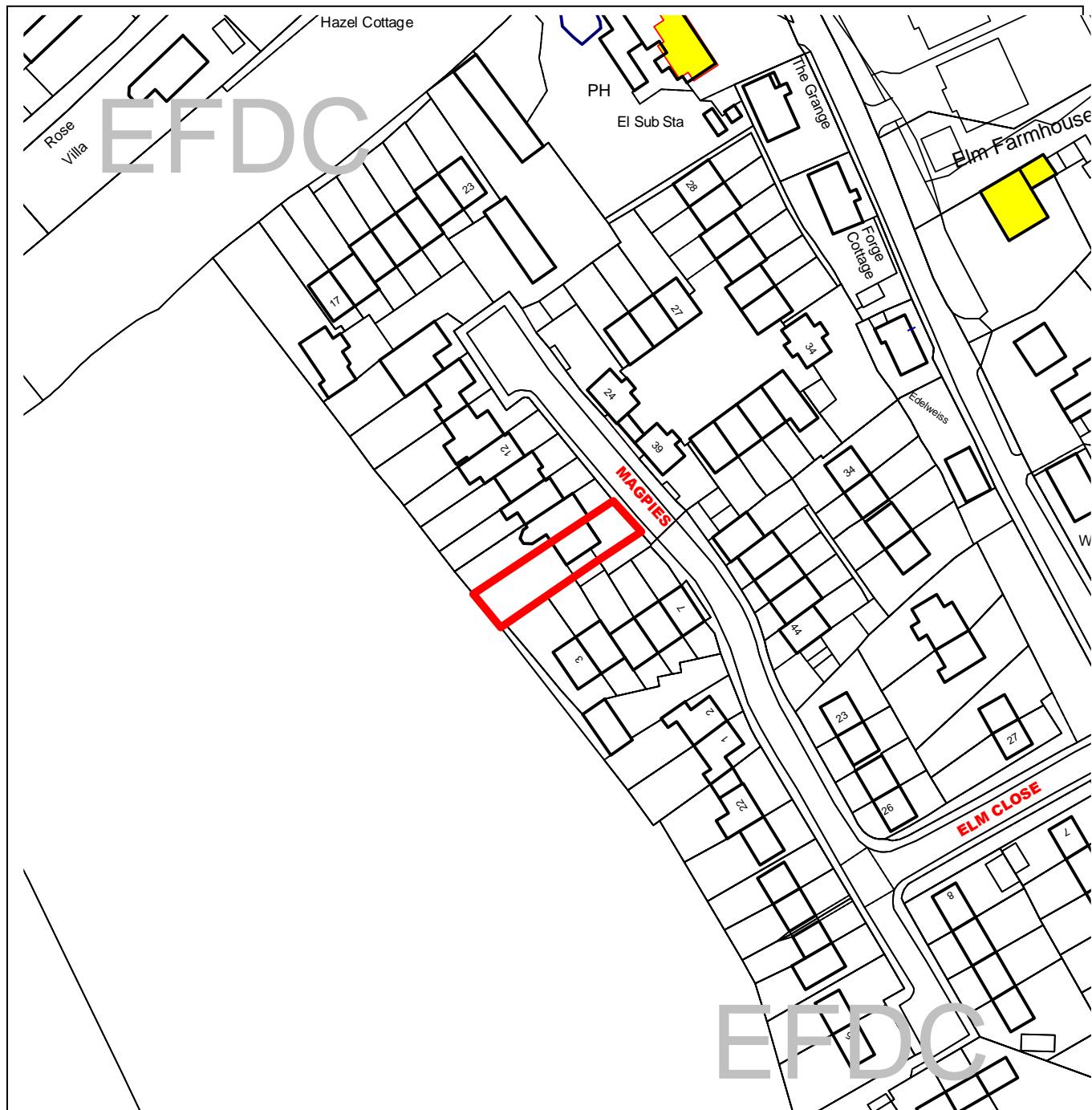
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Alastair Prince
Direct Line Telephone Number: 01992 564462***

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



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Application Number:	EPF/1529/21
Site Name:	8 The Magpies Epping Upland Epping CM16 6QG
Scale of Plot:	1:1250

Report Item No:

APPLICATION No:	EPF/1529/21
SITE ADDRESS:	8 The Magpies Epping Upland Epping CM16 6QG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs J & B Heaney
DESCRIPTION OF PROPOSAL:	Removal of existing conservatory and erection of part single storey and part two storey rear extensions.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653217

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 shall be carried out and retained strictly in accordance with the following approved plans:

Drawing 14391-P001-B - Proposed Plans and Elevations
Drawing 14391-S001-1st - Existing Plans and Elevations
Photographs
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building unless otherwise agreed in writing by the Local Planning Authority.
- 4 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

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, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The subject property is an end of terrace house in a residential street on a rectangular plot within the small village of Epping Green.

There is an attached double garage on the end of terrace flank. The site backs on to open fields.

The site and surrounding area are not located in the Green Belt or a Conservation Area and not within the setting of any listed buildings.

Description of Proposal:

Removal of existing conservatory and erection of part single storey and part two storey rear extensions.

The application proposes a part single part two storey rear extension.

The ground floor element would be 8.6m wide extending across the full width of the rear elevation of the house and attached garage. The depth would be 3.5m which is a very similar depth to that of the existing conservatory. The ground floor element would have a flat roof with parapet wall (maximum height 3.2m) and rooflights and would be constructed from red stock brick to match existing.

The first floor element would be 3.5m deep, 3.5m wide and would be set in from the side boundary with No. 9 by approximately 2.5m. The first floor element would have a hipped roof with clay roof tile to match existing and would be rendered to match the existing house.

Relevant Planning History:

EPF/0561/03
Conservatory
Approved 16.05.2003.

Policies Applied:

Epping Forest Local Plan and Alterations 1998/2006

CP2 – Protecting the quality of the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions

National Planning Policy Framework (NPPF) (July 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - c)
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Epping Forest District Local Plan Submission Version (LPSV) (2017)

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

DM9 – High Quality Design
DM10 – Housing Design and Quality.

Consultation Carried Out and Summary of Representations Received:

Epping Upland Parish Council: Objection:

"Overdevelopment of the building, the double storey aspect will be too dominant, a single storey would be more in keeping with the surrounding buildings.

There is also a concern raised about the silver birch tree marked on the existing plan and not shown on the proposed plans.”

6 neighbours consulted: 1 response received comprising 1 objection.

4 The Magpies:

“Over development - current view from our garden is trees / countryside, this will be replaced with double extension brick work. No issue with single extension, although double with greatly impact current view / day light. Also invades on privacy. We always support improvement of houses and living, although this one is just too much of an impact on living, especially in a beautiful country village.

There is a ditch running along the bottom, would this development have an impact on the drainage, as there it is a ditch that gets regularly blocked up.”

Issues and Considerations:

The main issues to consider relate to Character and Appearance and Residential Amenity

Character and Appearance

The proposed extension is considered to be a proportionate addition which is in keeping with the design of the existing house.

The first floor element is well set in from both side boundaries (2.5m on both sides) and its depth is not excessive at 3.5m.

It is considered that the proposal would not have a harmful impact on the character or appearance of the site or surrounding area and is therefore acceptable in this respect.

Residential Amenity

Due to its single storey nature (max height 3.2m to top of parapet wall) and limited depth it is considered that the ground floor rear element would not have a harmful impact on the visual or residential amenities of any neighbouring residential properties. No side facing windows are proposed that could result in a loss of privacy to neighbours and the rooflights are in the flat roof behind a parapet wall.

The first floor rear element would have a depth of 3.5m and would be set in from the boundary with No. 9 by 2.5m. It is considered that this set back is sufficient to ensure that the first floor element will not have a harmful impact on the visual or residential amenities of the occupiers of No. 9 in terms of loss of light or outlook (including when viewed from the nearest bedroom window). No side facing windows are proposed and the rear facing window will not result in a harmful loss of privacy.

The first floor element would be set in 2.5m from the side boundary running along the bottom of the rear garden of No. 4. The Magpies. No side facing windows are proposed which could result in loss of privacy to No. 4. Existing Conifer trees at the end of No. 4's rear garden would provide some screening of the proposed extension but in any case the separation distance between the proposed extension and the rear facing habitable room windows of No.4 is sufficient to ensure that there will be no harmful impact in terms of loss of light or outlook.

The proposed extension is considered to be acceptable in terms of impact on residential amenity.

Trees and Landscaping

The Council's Tree Officer has no objection to the loss of the silver birch as follows:

"The birch doesn't look in a very good specimen, so not we would object to its loss. It would be good if they could plant a new tree in the garden so that there is not loss of green infrastructure."

Response to objections

The concerns raised by the Parish Council and the occupier of No. 4 The Magpies have been addressed elsewhere in this report.

Loss of views are not a material planning consideration.

Conclusion:

The proposed extension is considered to comply with relevant Local Plan policies and the guidance set out in the NPPF and the application is therefore recommended for approval subject to conditions.

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

***Planning Application Case Officer: Kie Farrell
Telephone Number: 01992 564000 Ext 2025.***

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